English Translations of

Majmoo'al-Fatawa of Permanent Committee for Scholarly Research and *ifta*' of K.S.A

First Collection

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Marriage

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The second question of Fatwa no. 21359

Q 2: I want to delay marriage until I finish my studies as I am now in the last year of high school. I heard that it is Makruh (reprehensible) to delay marriage. I can not afford marriage at the proper age. I know a teacher who can afford marriage but he rejects it. What is your opinion? Please answer me, my brothers in Islam, as I am confused. Best regards!

A: it is the Sunnah for youth to hasten to get married early if they can afford it. The Prophet (peace be upon him) said, ('O young people! Whoever among you can afford to get married, let him do so, for marriage would help lower his gaze and keep virtuousness, and whoever cannot afford it, let him fast, for that will be a shield for him.) Agreed upon by Imams Al-Bukhari and Muslim. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The third question of Fatwa no. 9624

Q 3: is marriage a Fard (obligatory act) or Sunnah (supererogatory act following the example of the Prophet)?

A: Marriage is a desirable Sunnah for those who are able, because the Prophet (peace be upon him) instructed, saying:

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("O young men! Those among you who have the ability for marriage, let them marry, as it is more able to lower the gaze (i.e., from looking at forbidden things) and guard the private parts (i.e., chastity, from illegal sexual acts); but those who cannot should observe Sawm (Fasting), for it will remove their sexual desire.") However, marriage may become Fard on some people if they fear that they might fall into immorality and they can afford to marry. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 14127

Q: I am a nineteen-year-old young man, and I am a first-year student of Shari`ah (Islamic law). I have no job, and my father maintains me. As you know, we live in an age of Fitnah (temptation). Is it permissible for me to marry as long as my father is maintaining me? I want to get married to keep myself chaste. Can I do this, or should I wait until I finish my studies? Is it obligatory for me to pay for my family on my own? Please advise, and many thanks to you.

A: marriage is a Sunnah (commendable act) of the messengers. The Prophet (peace be upon him) has urged the youth to marry as soon as they can afford marriage, by saying: (O young people! Whoever among you is able to marry should do so; and whoever is not able to marry is recommended to observe Sawm (Fast), for Sawm would limit his sexual urge.) As your father will help you in the costs of

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marriage, this is considered facilitation granted to you from Allah (Exalted be He). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 16895

Q 2: is it permissible for a person to abstain from getting married while he has the financial and sexual ability to marry? This person is my friend. He claims that he does not want to marry in order not to produce children who may suffer the agonies of this world. He sometimes claims that he has become very old. Moreover, his mother wants him to get married.

A: Marriage is permissible in Islam. Increasing the number of the Ummah (nation) of the Prophet Muhammad is a desirable thing in Islam. The ruling of marriage differs according to one's circumstances. He who fears committing adultery if he does not marry has to get married if he is able to sustain his family according to the saying of most Fuqaha' (Muslim jurists). This is because being chaste is obligatory and the only way to be chaste is getting married. In this case, getting married takes precedence over performing Hajj. But if he is sure that he will not commit adultery, getting married in this case will be Mustahab (desirable). Therefore, if the reality is as you mentioned in your question, he has to seek Allah's help and search for a righteous woman in order to lead a chaste life and to make her

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lead a chaste life also. Doing so will bring him benefits in this world and rewards in the hereafter. He should not say that he will not marry in order not to produce children who will suffer the agonies of this world. This is a false excuse that should not come to a Muslim's mind, let alone establishing rulings on it. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 13684

Q: My name is `Abdul Kadder and I am twenty five years old. I want to marry a twenty five year old Christian woman whom I promised to marry if she embraced Islam. Should I marry her after she became a muslim although my father opposes our marriage?

A: If the matter is as you have described, you have to fulfill your promise and marry this woman even if your father opposes your marriage. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The sixth question of Fatwa no. 5848

Q 6: is Mariyah Al-Qibtiyyah who was given to the Prophet (peace be upon him) by Al-Muqawqis as

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a gift and the mother of his son Ibrahim, considered one of the Prophet's wives and a mother of the believers?

A: Mariyah Al-Qibtiyyah who was given to the Prophet (peace be upon him) by Al-Muqawqis can neither be one of his wives nor a mother of the believers. She was a concubine and gave birth to his son Ibrahim, and as such she is "mother of the son." May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 3578

Q: i am a twenty-three year old unmarried man. i belong to a big tribe; my people have no one for me to marry. Others make fun of me, whenever I propose to one of their daughters although I have not neglected any of their rights. I perform the five pillars of Islam and I avoid sins such as drinking alcohol etc., and I have never been involved in any immoral acts. Is it permissible for me to abandon this tribe and marry someone from any other tribe?

A: It is not permissible for you to abandon them because they do not want you to marry one of their daughters. It is permissible for you to marry any woman from any other tribe. The most important thing is to marry a chaste Muslim woman.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 4525

Q 1: if a man divorces his fourth wife and wants to marry another woman, does he have to wait until the end of his divorced wife's 'iddah (woman's prescribed waiting period after divorce or widowhood) to remarry?

A: It is Haram (prohibited) for a man who divorces his fourth wife to marry another woman, until his divorced wife finishes her 'Iddah. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Q 2: is `iddah (prescribed waiting period after divorce or widowhood) required for a man who wants to marry the sister of his deceased wife? Please give me your Fatwa regarding this issue.

A: The man who wants to marry the sister of his deceased wife is not required to observe `Iddah. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 19124

Q: I am an educated 23-year-old man, all praise be to Allah for this. i would like to send my parents to perform the Faridah (obligatory duty) of Hajj, but I also want to complete half of my Din (religion) by getting married, because marriage is a protection to every young man from falling into error. However, I am afraid that if I get married with the money that I have, my parents might die and I will have prevented them from performing this Faridah and bear the sin of this. Please note that we are not a wealthy family.

A: Spending the money you have on your marriage has priority over using it to pay for your parents to perform the Faridah of Hajj, because marriage helps to lower the gaze and protects chastity, as the Messenger (peace be upon him) said, ("O young men! Those among you who have the ability for marriage, let them marry, as it is more able to lower the gaze (i.e., from looking at forbidden things) and guard the private parts (i.e., chastity, from illegal sexual acts).") The Messenger (peace be upon him) ordered that marriage should be undertaken when anyone is capable of doing so. Accordingly, you should start with yourself and then help those whom you provide for. If your parents do not have enough money to perform Hajj, it is not obligatory on them, as they do not have the ability to perform it. There is no sin on them if either of them dies without performing this Faridah at their own expense, and you can perform it on their behalf or appoint someone else to do it for them from your money, when it is possible for you to do so. May Allah multiply your reward, and make matters easy for you and your parents.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 19189

Q 2: which is better in the sight of Allah (Exalted be He); to perform Hajj, or `Umrah during Ramadan, or to marry if the person is not married?

A: If you fear that you may commit adultery, you have to give precedence to marriage over performance of Hajj and `Umarah. If not, you should give precedence to performing Hajj and `Umrah over marriage. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 19244

Q: My work is related to the field of retardation and habilitation. I cooperate with a team whose members include many foreigners. They ask whether it is acceptable to advise the families who have more than one retarded child to stop procreation. I found it is better to participate in this debate

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based on the Islamic perspective to explain that our religion is the first to offer the solution for this problem. The solution is shown in the authentic Hadith of the Messenger (peace be upon him) who encouraged people to get married early and not to marry their relatives.

I hope your Eminence will provide me with Hadiths and proofs, preferably in English, concerning this issue as soon as possible. I heard that it is not prohibited in Islam to prevent procreation if the doctors decide that there is a chance of giving birth to retarded children who represent a load on their families and society. Is this true?

A: There are no authentic Hadiths which forbid marriage to relatives. The incidence of retardation happens by the will and decree of Allah and is not caused by marriage to relatives as is widely believed. It is impermissible to prevent procreation for fear of having retarded children. It is recommended to have Tawakkul (putting one's trust in Allah) and assume the best about Allah. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 18162

Q: I am a twenty seven year old Sudanese man. I am very concerned with the matter of marriage, which is my only means

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to stay away from committing unlawful practices which Allah and His Messenger forbade. I came to this blessed land to perform `Umrah (lesser pilgrimage), offer Salah (Prayer) in the Masjid (Mosque) of the Prophet (peace be upon him) and look for work. I wanted to make money to be able to afford the requirements of marriage but this was too difficult for me. I spent all the money I had made on my family. I could not save any money for myself because my family's conditions are as follows:

First: My father is an old man and I am the only son in a family of seven daughters. I cannot ignore helping them because my father is over seventy years old and no longer able to work. Even if he is able to work, he can hardly support himself financially. Therefore, I quit studying to find work and help them. Now, I am very eager to marry as I fear to commit a sin which displeases Allah. It should be noted that sins are surrounding me in different ways. I hope I will find an answer for the following questions: 1- Is it permissible for me to ask for financial assistance from benevolent people? 2- Is it permissible for me to stop helping my parents who brought me up and who receive help from no one but Allah (may He be Glorified and Praised) then me?

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It is worth mentioning that I fear the devil's temptation and I hope to stay adhering to the orders of Allah (may He be Gloried and Exalted) till death.

A: You have to be a dutiful son to your parents, take care of them and seek Allah's Provision to be able to afford the marriage requirements, and Allah will make things easy for you, Allah Willing. Allah (Exalted be He) says: ﴾And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴿ ﴾And He will provide him from (sources) he never could imagine. And whosoever puts his trust in Allâh, then He will suffice him.﴿ So, you have to fear Allah, place your trust in Him, and seek His Provision through legal means. There is no harm in asking wealthy people to help you in this matter. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The seventh question of Fatwa no. 443

Q 7: is marriage obligatory upon a woman who can control her sexual desire and who refuses marriage to be able to devote her life to worship and to avoid having marital responsibilities?

A: Allah (Glorified and Exalted be He) legislated marriage, as He (may He Praised and Exalted) says:

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﴾And marry those among you who are single (i.e. a man who has no wife and the woman who has no husband) and (also marry) the Sâlihûn (pious, fit and capable ones) of your (male) slaves and maid-servants (female slaves). If they be poor, Allâh will enrich them out of His Bounty.﴿ Also the Prophet (peace be upon him) commanded us to get married. On the authority of `Abdullah ibn Mas`ud (may Allah be pleased with him) that Allah's Messenger (peace be upon him) said: ﴾'O young people! Whoever among you is able to marry, should marry, for marriage would help him lower his gaze and keep his virtuousness and whoever is not able to marry, is recommended to fast, for fasting would diminish his sexual power.﴿ Related by Al-Bukhari and Muslim, and this narration is by both of them. Also the same narration is related by Abu Dawud, Al-Tirmidhy and Al-Nassa`y. In the Hadith that relates the story of three people who went to ask about the worship of the Prophet (peace be upon him), when they were told about the Prophet's worship, they considered it to be little. In this story one of the three people said: ﴾I will keep away from women and will not marry forever. The Prophet (peace be upon him) told that man and his companions that he (peace be upon him) fasts and breaks his fast, prays and sleeps and also marries women. Then he said, "So he who does not follow my Sunnah is not from me (not one of my followers)."﴿ The Hadith of this story is related in full by Al-Bukhari. This story includes a sign from the Prophet (peace be upon him) warning against monasticism practiced by men and women among the Jews and Christians. The woman asking this question should not stay without a husband. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Sulayman Ibn Mani`	`Abdullah ibn `Abdul-Rahman ibn Ghudayyan	`Abdul-Razzaq `Afify

The second question of Fatwa no. 12712

Q 2: is it permissible for a woman to refuse marriage after the death of her first husband? Is it permissible for the husband to order his wife not to remarry if he dies before her? We appreciate your advice.

A: It is not permissible for a woman to refuse marriage after the death of her first husband because this is a special ruling for the wives of the Prophet (peace be upon him). Also it is not permissible for the husband to order his wife not to remarry after his death. A wife does not have to obey her husband if he orders her to do so. The Prophet (peace be upon him) said: (Submission is obligatory only in what is good (and reasonable).) May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The third question of Fatwa no. 9639

Q 3: is it permissible for me to marry someone other than my brother-in-law as i have three children? is it permissible to travel abroad from Egypt to Saudi Arabia or Yemen with my children because those who have offered to marry me are there?

A: Firstly: it is permissible for a woman whose husband died to marry, after the end of her `Iddah (woman's prescribed waiting period after divorce or widowhood),

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whoever will be of benefit to her with regard to her religion, morals and chastity, whether he is her brother-in-law or not. **Secondly:** It is prohibited for a woman to travel with anyone other than a Mahram (spouse or unmarriageable relative). The Prophet (peace be upon him) said: ("It is not lawful for a woman who believes in Allah and the Last Day to travel, unless she has a Mahram with her.") May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 17973

Q 1: I am a twenty five year old man. I have not married yet. My brother supports me and helps me complete my education at university. He has offered to help me get married more than once, but I refused in order not to increase his burdens. I fall in what is prohibited of unlawful looks. I seek refuge in Allah from what is unlawful. Should I get married, as marriage in this case is obligatory in order to block all avenues of evil and to stay away from committing adultery? Answer my question! May Allah reward you well!

A: a young man has to get married if he fears seduction and if he has the financial ability to marry whether he has the money or it will be given to him by another person. If someone cover

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his marriage costs, he would be permitted to accept them. The Prophet (peace be upon him) said: ("O young people! Whoever among you is able to marry, should marry, for marriage would help him lower his gaze and keep his virtuousness, and whoever is not able to marry, is recommended to observe Sawm (Fast), for Swam would diminish his sexual power.") May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The eighth question of Fatwa no. 6902

Q 8: what can a young man who abides by Islamic teachings do to control his sexual desire in case he cannot marry or observe Sawm (fast)?

A: If the case is as you have described, there is no harm in postponing his marriage until he can afford it. Allah (Glorified and Exalted be He) says, ﴾Allâh burdens not a person beyond his scope.﴿ However, he should fear Allah as He should be feared and abstain from the things which He prohibited. Allah (Exalted be He) says, ﴾And let those who find not the financial means for marriage keep themselves chaste, until Allâh enriches them of His Bounty.﴿

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Qa`ud	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa no. 7034

Q 2: i am a nineteen-year-old adolescent, who is haunted by thoughts of sex. I truly live in anxiety and have no interest in my studies, as I am always thinking about sex, and Satan, may Allah curse him, is tempting me to commit Zina (premarital sexual intercourse and/or adultery) - may Allah provide all of us with refuge from that! Bear in mind that I am not able to marry, because I am still in the secondary school. I try to be patient day after day, but I can no longer bear it. I hope you can help me and tell me what to do, as the only solution I can think of is to marry, but I can not afford it. Due to these circumstances, I have become very skinny and sometimes when I perform Salah (Prayer) I do not know what I have done or how many Rak'ahs (units of Prayer) I have performed, because I am thinking about this matter. Please help me.

A: If your condition is as you have mentioned, perform as much voluntary Sawm (Fasting) as possible, as this will help you to control yourself, curb your desire, and to retain your chastity.

It is authentically reported that the Prophet (peace be upon him) said, ("O young men! Those among you who have the ability for marriage, let them marry, as it is more able to lower the gaze (i.e., from looking at forbidden things) and guard the private parts (i.e., chastity, from illegal sexual acts); but those who cannot should observe Sawm (Fasting), for it will remove their sexual desire.") (Reported by Al-Bukhari and Muslim) If you can borrow the money to get married and have the ability to repay the debt later, you should do this to protect your chastity, and you should beg Allah's Help in the realization of this. We advise you to avoid whatever may stimulate your desire, lower your gaze, and avoid mixing with women and sitting and talking to them as much as possible. I ask Allah (Exalted be He) to keep you chaste and protect you from lust and Fitnah (temptation). May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

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The eighth question of Fatwa no. 4470

Q 8: I am a young man and I work as a teacher. i am thinking of getting married, but I am hindered by my inability to build a separate house from my father's. I cannot afford to do this with my monthly salary

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in the near future, because it is too low; it is barely enough to sustain me and buy some clothes and books. What do you suggest I do? If I live with my father, I am sure I am going to face too many problems to solve.

A: We advise you to fear Allah (Exalted be He) as He should be feared and obey your parents in anything other than that which entails disobedience to Him. Whoever fears Allah, He will appoint for them a way out of every distress, and will provide for them sources they could never imagine. Whosoever puts their trust in Allah (Exalted be He), He will suffice them. You should also consult a trusted, experienced person who knows about your situation, so that they may find a solution to your case. A witness sees more details than someone who is not present. You can also hasten to marry according to your financial abilities, even if you have to rent a separate house. May Allah help you. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The fifth question of Fatwa no. 6582

Q 5: What is the Islamic ruling on a young man who refuses to marry due to the increasing cost of the Mahr (mandatory gift to a bride from her groom) and his inability to provide for a wife?

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A: If the reality is as you mentioned, and this man cannot afford to pay the Mahr or support a wife, he is excused. He should observe Sawm (Fasting) to acquire immunity that preserves his private parts (chastity) and virtuousness from immorality. However, if he can afford the Mahr and Nafaqah (obligatory financial support), but he refuses to marry, he is being disobedient to Allah and His Messenger (peace be upon him), who said, ("O young men! Those among you who have the ability for marriage, let them marry, as it is more able to lower the gaze (i.e., from looking at forbidden things) and guard the private parts (i.e., chastity, from illegal sexual acts); but those who cannot should observe Sawm (Fasting), for it will remove their sexual desire.") (Related by Al-Bukhari and Muslim) May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 3411

Q: i am a 27-year-old man and until now, there is nothing that encourages me to marry. The reason is the great increase in the cost of Mahr (mandatory gift to a bride from her groom), which has reached 120,000 Riyals. This is why I prefer to remain single. Please advise me, am I sinful for remaining as a bachelor due to the increase in the cost of the Mahr? May Allah reward you with the best!

A: You should exert all the effort you can to protect yourself and preserve your chastity by getting married. If you cannot afford it, you should observe Sawm (Fasting), as it will help you, with the Permission of Allah, to guard your chastity and virtuousness.

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It is authentically reported that the Prophet (peace be upon him) said, ("O young men! Those among you who have the ability for marriage, let them marry, as it is more able to lower the gaze (i.e., from looking at forbidden things) and guard the private parts (i.e., chastity, from illegal sexual acts); but those who cannot should observe Sawm (Fasting), for it will remove their sexual desire.") (Agreed upon by Al-Bukhari and Muslim) We ask Allah to make things easy for you and guide you. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 4034

A: is it permissible for me to marry although i am only 12 years old?

A: It is permissible for you to marry although you are only 12 years old; there is no prohibition against that. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The third question of Fatwa No. (14386)

Q 3: What is ruling on contracting marriage between a 14-year-old

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second year primary school student and 10-to-14-year-old girl who love each other and there is mutual consent between their guardians. The controversial point is that they are young; i.e. is their marriage valid being that young?

A: Contracting marriage between a young boy and a young girl is permissible if their guardians approve of it. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first and second questions of Fatwa No. (8726)

Q 1, 2: Here in Egypt we have special customs and traditions. Among these customs is the prohibition of marrying the younger daughter before the older one. is there any evidence to the opposite? What is the ruling on putting such customs into practice? In which case should customs and traditions be given priority over Shari`ah (Islamic law)?

Is the Hadith stating: (You have better knowledge (of a technical skill) in the affairs of the world) **Sahih (authentic)? If yes, we hope that you, helped by Allah (Glorified and Exalted be He), explain the Hadith to us pointing out when it should be enforced, to what it is applicable, whether it is applicable to the issue at hand and whether applying the Hadith here inflicts injustice on the younger daughter and whether every issue has its own discretionary judgment.**

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A: The basic principle is the general permissibility that daughters are given in marriage, whether they are young or old. Allah (Exalted be He) said: (And marry those among you who are single (i.e. a man who has no wife and the woman who has no husband) and (also marry)) Thus, if a woman is asked in marriage from her guardian when all the requirements are met and impediments do not exist, the guardian should give her in marriage. Actually, the custom of marrying the younger daughter before the older one does not go against Shari`ah. As for the Hadith that reads: (You have better knowledge (of a technical skill) in the affairs of the world,) it is Sahih as it is related by Muslim in his Sahih (authentic book of Sunnah). It means that people have better knowledge and more technical skill regarding worldly affairs such as farming, industries, weaving, trade and the like. However, the Shar`y (Islamic legal) ruling on all affairs has to be taken into consideration. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The fourth question of Fatwa No. (3568)

Q 4: is it permissible for a man whose wife died to marry

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one month, (or more or less), after her death? Some scholars are of the opinion that such a man may not marry unless her `Iddah (waiting period) of three months is over. This seems very strange to me. Is it true?

A: It is permissible for a man whose wife died to marry whenever he likes. The opinion of the scholars you mentioned is groundless, and is therefore null and void. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The third question of Fatwa no. 21676

Q 3: I am a thirty-four-year-old man. I am looking for a wife according to the Shar`y (Islamically lawful) measures in shaa'-Allah (if Allah wills). I do not want to marry a girl whose age ranges between eighteen and twenty two, as I think girls at that age are not mature and experienced enough. However, when I read the Sirah (the Prophet's biography), I see many different cases concerning age differences between a husband and his wife. If I adhere to the opinion that I feel comfortable with, am I contradicting the Sunnah (whatever is reported from the Prophet)?

A: There is no problem in marrying a woman who seems suited to matrimonial life, whether she is the same age as you, younger, or older. However,

it is a commendable act to marry virgins, according to the following Hadith in which the Prophet (peace be upon him) said to Jabir (may Allah be pleased with him) when he asked him about his wife: (Is she a virgin or a previously married woman? Jabir said that she is a previously married woman, so the Prophet (peace be upon him) said, "Why did not you marry a virgin, so that you can be playful together?") (Related by Al-Bukhari, Muslim, and Ahl-ul-Sunan (authors of Hadith compilations classified by jurisprudential themes)) May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The third question of Fatwa no. 9693

Q 3: there is a girl who works as a teacher of the Qur'an and is at the age of marriage. However, she refuses all suitors claiming that if she gets married this would prevent her from this noble job. Should she get married or postpone her marriage until she teaches the Qur'an to more students, and Allah will make a way for her?

A: If a suitable, practicing and respectable person proposes to her, she should accept him in order to keep herself chaste, and she may still continue teaching Qur'an and studying religion. She should seek Allah's help,

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and sincerely supplicate to Him to help her to achieve the good she aspires for. It was authentically reported that the Prophet (peace be upon him) said, ("O young people! Whoever among you is able to marry, should marry, for marriage would help him lower his gaze and keep his virtuousness and whoever is not able to marry, is recommended to fast, for fasting would diminish his sexual power.") Agreed upon by Al-Bukhari and Muslim. This Hadith is applied to males and females. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The fifth question of Fatwa no. 4921

Q 5: is it permissible for a young woman to abstain from getting married after the death of her first husband?

A: Islam urges people to get married. Therefore, her Waliy (a legally accountable person acting for a woman seeking marriage) should advise and urge her to get married. However, if she refuses and he is not afraid of her being subject to Fitnah (temptation), he should leave her. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 18121

Q: is it legally correct for someone who wants to get married to say that he wants to complete half of his religion; meaning marriage?

A: The Sunnah of the Prophet (peace be upon him) pointed out that marriage is desirable and it is one of the Sunnan done by Allah's messengers. Men can, through marriage, overcome many evil trends. Marriage helps a person lower their gaze and keep their virtuousness, as was explained by the Prophet (peace be upon him). It was reported by Al-Hakim in his book called Al-Mustadrak on the authority of Anas as a Hadith Marfu` (a Hadith narrated from the Prophet with a connected or disconnected chain of narration): ("Whoever Allah grants a righteous wife has been assisted (by Allah) to adhere to half of his religion, so let him obey Allah in the second half.") It was also reported by Al-Bayhaqy in his book Al-Shu`ab on the authority of Al-Raqashy that the Prophet (peace be upon him) said: ("When a man marries, he has fulfilled half of his religion, so let him fear Allah regarding the remaining half.")

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 14704

Q: Regarding the matter of lowering the gaze (from looking at what is forbidden), I am a twenty year old young man who lowers his gaze, but I usually spend some time before and during sleep thinking of my love for sexual appetite. How can I give up this bad habit and keep Satan away from me? It may be worth mentioning that I usually recite Qur'an before going to bed.

A: Firstly: It is Wajib (obligatory) on you that you lower your gaze from looking at what is forbidden. Likewise, it is impermissible for you to read magazines or watch films that contain women's images. Allah (Exalted be He) says: ﴾Tell the believing men to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts). That is purer for them. Verily, Allâh is All-Aware of what they do.﴿ **Secondly:** You have to marry if you are able to do so, for marriage will help you lower your gaze. The foregoing was explained by the Prophet (peace be upon him) when he said in an authentic Hadith: ﴾'O young people! Whoever among you is able to marry, should marry, for marriage would help him lower his gaze and keep his virtuousness and whoever is not able to marry, is recommended to fast, for fasting will diminish his sexual power.﴿

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 12523

Q: Allah's Messenger (peace be upon him) said: ('O young people! Whoever among you is able to marry, should marry, for marriage will help him lower his gaze and keep his virtuousness, and whoever is not able to marry is recommended to fast, for fasting would diminish his sexual power.) **I cannot afford marriage and my question is: since the Prophet (peace be upon him) ordered youth who cannot marry to perform sawm (Fast), how should this sawm be performed? Should I perform Sawm forever or what should I do? I hope you will explain things to me. Peace, Mercy and Blessings of Allah be with you. May Allah reward you with the best!**

A: If you cannot afford marriage, you should fear Allah (Glorified and Exalted be He), be mindful of Him, lower your gaze and fast as much as you can. The best way of Sawm is to fast one day and break it the following day. This was the Sawm of Prophet Dawud (David, peace be upon him) as mentioned by Prophet Muhammad (peace be upon him). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 14384

Q: There is a question that has perplexed me for the past five years. I am a thirty six year old man. Allah has tried me with a strong sexual capacity that I can not control. I have observed Sawm (Fast) as we were ordered by the Prophet (peace be upon him) in this case to do so. This is because Sawm diminishes one's sexual power. But I swear by Allah that my sexual desire increases after observing Sawm. I went to many physicians who gave me some tranquilizers. Unfortunately, they were all in vain. I was tried with such a trial and at the same time can not marry because my salary is very low as I work as a public servant in King Khalid hospital in Tabuk.

I would like to undergo a castration operation in order to get rid of my sexual desire in order to protect my honor and religion. I would like to know if it is permissible for me to do so or not. I asked some scholars and they told me that it was unlawful for me to do this. I can not bear such a trial. Therefore, I would like your Eminence to answer my question in a written form because I do not listen to answers that are broadcasted on the radio. May Allah protect you and grant you success in serving His religion!

A: It is not permissible for you to undergo such an operation because the Prophet (peace be upon him) forbade `Uthman ibn Mazh`un to castrate himself. Moreover, you have to fear Allah and to stay away from all sources of temptation and seduction. You also have to continue being mindful of Allah and to be chaste. You have to follow Allah's saying: ﴿And let those who find not the financial means for marriage keep themselves chaste, until Allâh enriches them of His Bounty.﴾

You also have to supplicate to Allah a lot and pay great attention to supplicating to Allah at times when Allah answers Du`a' (supplication) in order that Allah might marry you to a righteous woman. Allah (Exalted be He) says: ﴿And when My slaves ask you (O Muhammad صلى الله عليه وسلم) concerning Me, then (answer them), I am indeed near (to them by My Knowledge). I respond to the invocations of the supplicant when he calls on Me (without any mediator or intercessor).﴾ , ﴿And your Lord said: "Invoke Me, [i.e. believe in My Oneness (Islâmic Monotheism) and ask Me for anything] I will respond to your (invocation). Verily! Those who scorn My worship [i.e. do not invoke Me, and do not believe in My Oneness, (Islâmic Monotheism)] they will surely enter Hell in humiliation!"﴾ and ﴿Is not He (better than your gods) Who responds to the distressed one, when he calls on Him, and Who removes the evil﴾ The Prophet (peace be upon him) used to say: ﴿"O Allah! I ask You for guidance, piety, chastity and self-sufficiency."﴾ It was also authentically reported that the Prophet (peace be upon him) said:

﴿"Your supplication is answered unless you go impatient saying: 'I supplicated but was left deprived.'"﴾ It was reported in the book of Sunnan compiled by Al-Tirmidhy and in other books that

the Messenger of Allah (peace be upon him) said: ("Whenever a Muslim supplicates to Allah, He accepts his supplication or averts any similar kind of trouble from him until he prays for something sinful or something that may break the ties of kinship." Upon this someone of the Companions said: "Then we shall supplicate plenty." Allah's Messenger (peace be upon him) said: "Allah is more plentiful (in responding).") Al-Tirmidhy said that this is a good authentic Hadith. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 14778

Q: how can a Muslim ward off the desires to commit Zina (premarital sexual intercourse and/or adultery) or masturbation? What is the difference between those who do these things and those who avoid them? What is the best way to help me perform Salah (Prayer) regularly, as I sometimes pray and sometimes do not?

A: The main things that keep a Muslim away from doing these prohibited acts is fear of Allah, hoping for the Blessings He has in store for His Obedient Servants, and fearing the Fire He has for the disobedient. When a Muslim knows his Lord - in the true sense of knowing - as the One and Only Lord, Omniscient about all of mankind and their inward secrets; the All-Powerful and Invincible; the One able to do all things; the All-Knowing, Who encompasses everything in His knowledge, Who has created mankind in this world to worship and obey Him, and made it a trial to test people, with those who follow Allah's Orders and avoid His Prohibitions entering Paradise and those who violate His Orders and commit His Prohibitions being cast in the Fire. The blessings of Paradise are everlasting and the punishment in Hellfire is unbearable. When a Muslim recognizes these facts, they start to fear Allah and hope for what He has. As for your question, you must avoid the things that stimulate these desires, such as going to places where there is nudity, singing, music, and looking at women. You should try to keep to the company of righteous people and busy yourself with what benefits you in this world and in the Hereafter.

Try reading some useful books, such as "Riyad Al-Salihin (The Meadows of the Righteous)", and recite the Qur'an often. Anyone who abstains from these acts of disobedience will be rewarded and will have their rank raised in the Hereafter. It is authentically reported that the Prophet (peace be upon him) said, ("There are seven (people) whom Allah will shade in His Shade on the Day when there will be no shade other than His Shade...") among which are ("a young person who grew up worshipping Allah, and a man who is seduced by a woman of high standing and beauty but he says, 'I fear Allah'.") As for not performing Salah, this is Kufr (disbelief) in Allah, as the Prophet (peace be upon him) said, ("The covenant that is between us and them (the hypocrites) is Salah. Anyone who abandons it has committed Kufr.") May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 5441

Q 1: My father wanted me to marry, but I refused saying that I cannot marry now as I am preoccupied with acquiring knowledge and Da'wah (calling to Islam) among people who worship other than Allah. The truth is that I do not want to marry for two reasons. Firstly: There are no true believing girls who fulfill the obligations of Allah. Most of them perform acts that indicate that they are Mushriks (those who associate others with Allah in His Divinity or worship) and believe in the occupants of the graves, this is in my village.

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There are believing girls in other villages, but I cannot marry someone from outside our village.

Secondly: I want to focus on acquiring knowledge and calling people to Allah, but marriage will delay me or keep me from performing this obligation of seeking knowledge.

What is your Fatwa (legal opinion issued by a qualified Muslim scholar) and the Islamic ruling in this regard? Many Muslim scholars, such as Imam Ibn Taymiyyah, did not marry.

A: marriage is the practice of all the messengers and there is a great deal of evidence that encourages it. Some of the wisdoms related to marriage are that it helps to lower the gaze, preserves chastity, produce offspring, and enable a man and a woman to stand by each other in matters of everyday life. Getting married does not keep you from Da'wah; rather it helps to realize this goal for the peace and tranquility it brings to the soul. We advise you to marry and try to choose a good wife, even if she is from outside your village, knowing that no one is perfect, be it a man or a woman, especially at this time, except whom Allah wills. The Prophet (peace be upon him) disapproved the reluctance expressed by of some of his Sahabah (Companions): ﴾One of them said, "As for me, I shall pray and never sleep." Another said, "As for me, I shall fast and never break my fast." A third said, "As for me, I shall not marry women." When the Prophet (peace be upon him) was informed about that, he delivered a Khutbah (sermon) to the people. He praised Allah and glorified Him, and mentioned that matter saying, "As for me, I pray and I sleep, I fast and I break my fast, and I marry women. Anyone who shuns my Sunnah (whatever is reported from the Prophet) is not from me (i.e. not among my followers)."﴿

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Finally, it is not confirmed that Shaykh Al-Islam Ibn Taymiyyah (may Allah be merciful to him) did not marry. If it was confirmed, he probably had a lawful excuse, as we do not think someone like him would shun the Sunnah, when he was one of the greatest Du'ah (callers) to the Sunnah and one of the most knowledgeable people of it. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 17930

Q 1: What is the ruling on women advertising in newspapers and magazines their descriptions seeking marriage?

A: A woman advertising her desire to marry in newspapers and magazines and listing her descriptions conflicts with chastity, modesty and decency. It is not a Muslim custom at all. Thus, it is obligatory to refrain from doing it. Furthermore, it conflicts with the responsibility of her Waliy (a legally accountable person acting for a woman seeking marriage) through whose approval she may be given in marriage.

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The second question of Fatwa No. (15130)

Q 2: is it permissible for a girl of full age, about 23 years old, who has not yet been asked for in marriage and is still a virgin, to tell her Waliy (a legally accountable person acting for a woman seeking marriage) that she desires marriage, giving birth to children and caring for a husband? Is it permissible to tell him that she wants to experience a happy and peaceful marital life so that he may seek a good religious man and then ask him to marry his daughter or the girl under his guardianship? In fact, `Umar ibn Al-Khattab set the example in this regard when he offered to give his daughter Hafsah in marriage to righteous people to be later married to the Prophet (peace be upon him).

Give me a detailed fatwa, may Allah reward you! Would you advise Waliys of unmarried girls whom no one asked in marriage to proceed to offer to give them in marriage to righteous people? Answer me, may Allah bless you!

A: It is unobjectionable that she tells her Waliy about her desire to marry. It is also unobjectionable that the Waliy offers to give his daughter or the girl under his guardianship in marriage to those whom he thinks to be righteous, good and trustworthy. However, such an offer should be adequate. This is supported by the story mentioned

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in the question that `Umar (may Allah be pleased with him) offered to give his daughter Hafsah who became a widow, in marriage to Abu Bakr and `Uthman (may Allah be pleased with them). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa No. (8901)

Q: I would like to ask Your Eminence about consummating a marriage during the blessed month of Ramadan. What is the ruling on this? Is it Makruh (reprehensible) as commonly claimed? Please, answer me, may Allah assist you!

A: Consummating a marriage during Ramadan is not Makruh, for there is no evidence to this effect.

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Fatwa no. 8795

Q: I am a Muslim young man. i got married to an Austrian woman who embraced islam and gave birth to a child. She suffers from uterine cancer which makes having sex with her impossible. I, therefore, want to marry a second wife, but she refuses. She further stipulates that she will ask for divorce in the event of me marrying a second wife. It should be noted that the custody of the child will be granted to the mother if I divorce her. I fear the problems that may result from raising my child in the context of a non-Muslim family. It is noteworthy that the stipulation of not marrying a second wife is not included in the marriage contract. If I get married, I will lose my child, and if not, my rights as a husband will not be fulfilled. What is the proper solution for this problem? Please answer me, may Allah protect you!

A: You should get married, as it entails many benefits for you. Among them are the ones mentioned in the Prophet's saying (peace be upon him), ('O young people! Whoever among you can afford to get married, let him do so, for marriage would help lower his gaze and keep virtuousness, and whoever cannot afford it, let him fast, for that will be a shield for him.) Agreed upon by Imams Al-Bukhari and Muslim

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on the authority of Ibn Mas`ud (may Allah be pleased with him). As for the custody of the child, you should resort to the Shari`ah court. Allah (Exalted be He) says: (And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).) (And He will provide him from (sources) he never could imagine.) Moreover, in the event of divorce, you should treat the mother of the child kindly. May Allah grant her recovery and forgive her and your sins. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 15358

Q: I am a Multazim (practicing Muslim) young man, and I want to marry a Multazim girl. However, I am hesitant because of her father's work in a Riba (usury/interest)-based bank. What is the ruling of the Shari`ah (Islamic law) on this marriage? It is worth mentioning that if a marriage is concluded, the two families will exchange visits to maintain the ties of kinship, and this will, definitely, necessitate eating with them, exchanging gifts, and the like, especially during the first days

of marriage. What is the ruling of the Shari`ah on this?

A: If the woman whom you want to marry is upright and holds fast to the Din (religion) of Islam, her father's work in a bank should not present an obstacle to her marriage and it does not prevent you from marrying her. You should advise her father and convince him to leave his work. Perhaps Allah (Exalted be He) will guide him through you. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Engagement

The third question of Fatwa no. 18447

Q 3: is there a Sahih Hadith with regards to choosing good maternal uncles for our future children when the person is planning for marriage? It should be noted that I am about to marry, Allah Willing. I hope to receive some advice from your Eminence about marriage.

A: Yes, there are Sahih Hadiths reported from the Prophet (peace be upon him) in which he encouraged us to marry a religious woman who is loving and prolific. This indicates the importance of choosing a good wife that will result in marital benefits,

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and lead to the righteousness and piety of the offspring. Allah (Exalted be He) says: ﴾Therefore the righteous women are devoutly obedient (to Allâh and to their husbands), and guard in the husband's absence what Allâh orders them to guard (e.g. their chastity, their husband's property).﴿ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The third question of Fatwa no. 20062

Q 3: What should a woman's Waliy (a legally accountable person acting for a woman seeking marriage) do when a suitor proposes to her?

A: A woman's Waliy should choose a righteous, religious, and honest man for her. The Prophet (peace be upon him) said, (If someone with a satisfactory standard of faith and honesty comes to you seeking marriage, then give him (your daughter or sister) in marriage. If you refuse, that will lead to the spread of great corruption in the land.) Related by Ibn Majah and Al-Tirmidhy who ranked this Hadith as Hasan Gharib (a good Hadith that is strange to come from this chain of narration). The Waliy should fear Allah and work for her benefit and not for his interest as he is responsible for her before Allah. Moreover, he should not

burden the suitor with excessive Mahr (mandatory gift to a bride from her groom). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 13656

Q: I am a woman wearing Niqab (face veil) and two people are proposing to me. The first is bearded and is in the second stage of commercial secondary school while I have obtained the commercial secondary school certificate. He is also three years older than me and he has only one sister who will get married and live far away.

On the other hand, the other suitor is an agronomist. He owns his own apartment. He also agrees to all of my requirements such as not shaking hands and intermixing with a member of the opposite sex. He is a very practicing Muslim and is well-mannered but he is beardless. My family left the decision up to me. What is the Islamic stance on this situation? It should be taken into consideration that the second suitor is very well-off.

A: You must choose the pious, religious, well-mannered, and the wise husband who fears Allah in all his affairs.

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The first question of Fatwa no. 6400

Q 1: is it permissible for a woman to propose to a good Muslim brother, when she sees that he is Multazim (a practicing Muslim), as did Lady Khadijah bint Khuwaylid (may Allah be pleased with her)? If Islam permits this, would it not undermine the woman's dignity afterwards? What are the conditions that it is obligatory for a woman to observe if she admires a Muslim brother's morals, Islam, and committed adherence to Allah's Book and the Sunnah (whatever is reported from the Prophet) of His Messenger Muhammad (peace be upon him)?

A: If the matter is as mentioned, it is permissible for her to offer herself in marriage to this man or his like, and there is nothing wrong with this, as this was done by Khadijah (may Allah be pleased with her) and the woman mentioned in Surah Al-Ahzab who gave herself in marriage. This was also done by 'Umar (may Allah be pleased with him) when he offered his daughter Hafsah in marriage to Abu Bakr and then to 'Uthman (may Allah be pleased with both of them).

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The first question of Fatwa no. 6969

Q 1: is it permissible for me to allow my brother to marry my fiancée, as i am no longer interested in marriage at the present time, and she has reached the age for marriage?

A: It is permissible for you to leave her for him or any other person. After that he may marry her if she accepts him as a husband. But if you have consummated marriage, it is not permissible for him to marry her unless you divorce her and her waiting period elapses if you had intercourse with her. Moreover, she should accept him as a husband and all the other legal conditions of marriage have to be fulfilled. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 7044

Q: Praise be to Allah, I am a committed, practicing Muslim woman.

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A man, whom I think is pious, has proposed to me, but I am studying in the Faculty of Medicine. my father refuses to let me get married until after I have finished my studies, which means that I have to wait for three more years. Should I agree to get engaged to this man until I can finish my studies? Is it permissible for me to uncover my face in front of him during the period of betrothal in the presence of one of my Mahrams (unmarriageable relatives)?

A: This is a personal matter governed by the circumstances of the man who has proposed, the woman to whom he proposed and their families. It is not easy for someone to judge in this matter unless they know the circumstances surrounding these parties. Regarding a woman who has been proposed to uncovering her face in front of her suitor before contracting the marriage, this is permissible for him to see if he is attracted to her; but it is not permissible for this to continue to avoid its grave consequences. We advice you to take the initiative to get married and to use all means to persuade your father to hasten it, as the Prophet (peace be upon him) instructed, saying: ("O young men! Those among you who have the ability for marriage, let them marry, as it is more able to lower the gaze (i.e., from looking at forbidden things) and guard the private parts (i.e., chastity, from illegal sexual acts).") May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

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First question of Fatwa no. 6471

Q 1: is it permissible for a man to propose to the woman whom he would like to marry? if the answer is in the affirmative, what are the conditions of making such a proposal?

A: It is permissible for him to do so provided that no Khulwah (being alone with a member of the opposite sex) is involved and that he has a real desire to marry her. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The fourth question of Fatwa no. 3116

Q 4: if a man proposes to a woman, and her family agrees, then he travels for a year or more, and another man proposes to her, is it permissible to accept the second man's proposal?

A: If they had only agreed upon engagement, her father might accept the second man's proposal if he thinks it is better for his daughter and she agrees to it. However, the second man cannot engage her unless he knows that the first one no longer wants her, her family no longer wants him, or he gives him permission to do so, as the Prophet (peace be upon him) prohibited a man to propose to a woman after someone else had proposed to her. If the first man has written a marriage contract with her, it is impermissible for her father to accept the second man's proposal. It is also impermissible to marry the second one until

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the first one divorces her or dies and her `Iddah (woman's prescribed waiting period after divorce or widowhood) comes to an end. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 7588

Q: A man proposed to the parents of a girl to marry their daughter, and they agreed. Three years later, the concerned man and his fiancée agreed to conclude the contract of their marriage. However, one week later another man appeared and proposed secretly to the parents of the same girl to give the latter to him in marriage. The parents agreed to the marriage proposal of the second man and married their daughter to him. We make Du`a' (supplication) to Allah that your Eminence could tell us whether this is permissible or not?

A: If the reality is exactly as you have mentioned, the marriage contract that was concluded by the girl's father for the second fiancé of his daughter is valid. However, the marriage proposal of the second man is impermissible if he knew about the first fiancé and the family's approval of him. Otherwise, the marriage proposal of the second man is permissible. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The eighth question of Fatwa no. 5619

Q 8: someone asked to marry a girl, who was a virgin, and they got engaged. He was one from a group of people who competed to marry her. He married this woman with her consent and with her family's consent according to the Qur'an and the Sunnah of the Prophet (peace be upon him). They are leading a peaceful and happy life. Moreover, they were granted children. But he is still worried because he fears that he might have proposed to her when someone else had already proposed to her. He fears having committed a sin due to that. Should he offer an expiation if he is sure that he did that?

A: He is not liable to offer expiation if he is sure that he proposed to her when someone else had already proposed to her. But he has to repent to Allah and seek His forgiveness. Sincere repentance obliterates what had preceded it of sins. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 11134

Q: I betrothed one of my sons to my nephew's daughter. Her father agreed but delayed the conclusion of the marriage for some time. I traveled to Riyadh for twenty days and before returning home, another suitor proposed to her

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and her father agreed even though I am his uncle. I am not sure about this engagement and I am waiting for the date her father appointed to conclude her marriage to my son. Your Excellence, it is known that among the conditions of engagement is that a person should not engage a woman who is already engaged. We hope Your Excellence would tell us whether it is permissible to engage a woman who is already engaged to someone else. What are the consequences of doing this? May Allah safeguard you and guide you to all good!

A: It is not permissible for a Muslim to engage a woman who is already engaged to someone else. It was authentically reported on the authority of Ibn `Umar (may Allah be pleased with them both) who narrated that the Prophet (peace be upon him) said: ("None of you should make an engagement proposal over the proposal of his brother.") (Agreed upon by Al-Bukhari and Muslim)

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 8042

Q: We live in France and there is no Mufty (Islamic scholar qualified to issue legal opinions) here. Therefore, we ask your opinion regarding the following issue: One of two brothers proposed marriage to a woman. He had been engaged to her for three years and he maintains good relations with her father. The following year, when he decided to hold the wedding ceremony, his brother wanted to have the same woman engaged to his son. As a result a dispute broke out between the two brothers. Which one of the two fiancés has a better claim to marry the woman? May Allah reward you best!

A: The first fiancé has a better claim to marry the woman he has engaged. The second fiancé is not permitted to betroth her if he knows that she has already been engaged and that her family have accepted the first fiancé as a would-be husband for their daughter. It was related in the Sahih (authentic) Book of Hadith of Al-Bukhari, Sunan (Hadith compilations classified by jurisprudential themes) of

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Al-Nasa'iy, and Musnad (Hadith compilation of) Imam Ahmad on the authority of `Abdullah ibn `Umar (may Allah be pleased with them both) that Allah's Messenger (peace be upon him) said: ❪"A man is not permitted to ask for a woman in marriage when another Muslim has already done so until the former retracts his proposal or permits him."❫ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 10726

Q: What is the ruling on someone who spoils and disrupts the relationship between a husband and his wife, when this person is one of the wife's relatives?

A: It is Haram (prohibited) to damage the relationship between a wife and her husband and make her turn against him, whether the person responsible for it is a relative or someone else. It was reported by Al-Nasa'y, Abu Dawud, and Ibn Hibban, on the authority of Abu Hurayrah (may Allah be pleased with him) that the Prophet (peace be upon him) said, ("Anyone who turns a woman against her husband or a slave against his master is not one of us.")

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The wording of the Hadith is that of Abu-Dawud. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 13610

Q 2: When someone proposes to me and I get some information about him, should I observe Istakharah Prayer before seeing him or observe it after seeing him? Is the sign of Allah's guidance to a servant after observing Istakharah Prayer shown through a true dream? Please answer me, may Allah reward you with the best!

A: Istikharah is permissible before and after seeing the suitor. If you feel happy about the matter for which you ask Allah's guidance whether you proceed or abandon it, this is a sign indicating that this matter is good. If on the other hand you feel uneasy and your heart is turned away from that matter, then it is not good and should be abandoned. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 14548

Q 2: i am a young woman who adheres to her religion. Several young men proposed to marry me at the same time. I had to perform Du`a'-ul-Istikharah (supplication for guidance) for each one of them more than once, but I did not feel anything. I have performed Du`a'-ul-Istikharah before for a young man who proposed to marry me and I saw what made me refuse. When I felt that I have to do something before my family gives a final word, I said: "O my Lord! Guide me to what is good for me!" I got engaged to the best one among those who had proposed to marry me. He is a good person with good morals. One year later, I felt that this engagement is a temptation for me though my relation with him is very good. Moreover, I did not find any fault with him that may cause me harm in my religion or in my life. Therefore, I performed Du`a'-ul-Istikharah three other times, but I did not feel anything that makes me accept or reject this offer. What should I do in this regard? Should I accept his offer or not? May Allah reward you well!

A: Whoever receives a marriage proposal should recommend her family to get information about this person, or find a trustworthy relative who can gather information about his morals, trustworthiness and his adherence to his religion. If they find that he is a good person, she can perform two Rak`ahs (unit of prayer) and then say Du`a'-ul-Istikharah with regard to getting married to that person. If she finds tranquility and happiness in her

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heart and soul, she has to seek help from Allah and accept his offer. But if she feels depression and she feels unsure about him, she should reject this offer. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The sixth question of Fatwa no. 7932

Q 6: more than one multazim (practicing muslim) suitor proposed to a muslim girl, but she refused all of them after making Du`a'-ul-Istikharah (supplication for guidance) even though they are all well-mannered and devout. Is this act correct or does it contradict the Hadith in which the Messenger of Allah (peace be upon him) said: ("If someone with a satisfactory standard of Iman (Faith) and good conduct comes to you seeking marriage, then give him (your daughter or sister) in marriage.")

A: The cited Hadith is Da`if (a Hadith that fails to reach the status of Hasan, due to a weakness in the chain of narration or one of the narrators). It was reported on the authority of Al-Bukhari that he did not regard it as Mahfuz (a Hadith narrated by a chain of trustworthy narrators that contradicts a narration of another who is of a lesser degree of trustworthiness). Abu Dawud regarded it as a Hadith Mursal (a Hadith with no Companion of the Prophet in the chain of narration), and Ibn Al-Qattan also described it as Mursal. Accordingly, there is no blame on her; however, we advise her to accept the marriage proposal of a competent suitor and not to seek perfection.

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The third question of Fatwa no. 8256

Q 3: Is it permissible for a person to lie to his fiancée about the kind of job he is employed in? The fiancé is afraid that if he tells her the truth about his job, the family may turn down his marriage proposal. The woman he intends to betroth to is a Multazim (practicing Muslim). And Allah knows best.

A: A fiancé is forbidden to lie to his fiancée about the kind of job he is employed in as this is considered a form of fraud. If he had lied to her about his job, he should make Tawbah (repentance to Allah) and should ask Allah (Exalted be He) to forgive him the sin of lying and try at the same time to ask the fiancée to forgive him as well. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Second question of Fatwa no. 9174

Q 2: is it permissible for a father to discuss the matter of

choosing a wife or a husband directly with his son or daughter?

A: Yes, it is permissible for a father to discuss the matter of choosing a wife for his son or the matter of choosing a husband for his daughter and to consult each one regarding this issue for there is great benefit in doing so. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 10853

Q: I want to marry a woman who has good qualities. She studies at a secondary school and has good knowledge of Islam and its rulings. However, my father opposes our marriage because her father is a police officer and he doubts that he may earn unlawful money. In fact, my father is not sure of this and he wants me to marry another woman whom I do not want. Should I marry the woman I want and whose family agree or should I marry the other woman although I do not want her and I might even divorce her, if we got married? It is well-known that one of the conditions of marriage is the consent of the couple.

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Is my father's approval a condition for marriage? It is worth mentioning that the approval of the Waliy (a legally accountable person acting for a woman seeking marriage) is one of the conditions of marriage and the Waliy of this woman agrees. We appreciate your guidance, my Allah reward you!

A: If the matter is as you have described, it is permissible for you to marry whoever you want as long as she is religious and chaste. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 20893

Q: i have a sister who has been affected by the evil eye and someone has proposed to her. is it obligatory on me to tell him that she has been affected by the evil eye? If I do not tell him, is this regarded as deceiving him? Please answer me in writing as there are many similar cases in our village. As-salamu 'alaykum (May Allah's Peace be upon you!)

A: It is obligatory on the Waliy (a legally accountable person acting for a woman seeking marriage) to explain to a suitor any defects or illnesses that the woman is suffering from, if the man is not aware of this, so he can be well-informed.

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Hiding this information from him is deceiving him. The Prophet (peace be upon him) said, ("Anyone who deceives us is not one of us.") May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 10737

A: a close friend of mine came to ask me about a man who wants to marry one of his relatives, should I tell him the truth knowing that it would not be in the interest of the suitor? What should I do knowing that if I lie to my friend, the consequences will not be good and may lead to the loss of our friendship?

A: It is obligatory that, if anyone asks about someone for a Shar'y (Islamically lawful) interest, the person being asked should explain what they know about the person in question, based on actual reality. It is not permissible for them to lie to the questioner. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Eighth question of Fatwa no. 18452

Q 8: how can I be sure that the person proposing to me is committed to applying Allah's Shari`ah (law) in his personal behavior and conduct with others bearing in mind that nowadays there are many people pretending to be so?

A: It is Wajib (obligatory) on the Waliy (a legally accountable person acting for a woman seeking marriage) to make inquiries about whomever makes such a proposal. If the Waliy is satisfied with the Din (religion) and characteristics of the concerned person, he is to accept his marriage proposal; otherwise, he should not accept it. There are many easy ways of knowing the qualities of the person proposing such as asking his relatives and colleagues about him and examining his personality. Haste should be avoided regarding such a matter. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The fifth question of Fatwa no. 8445

Q 5: If I break off my year-long engagement, will this be unfair to my fiancé and will Allah punish me? The reason I want to cancel my engagement is that my fiancé is not convinced about some religious matters.

A: There is no nothing wrong with you annulling an engagement if the fiancé is not pleasing in terms of his character, his Din (religious commitment), or other areas similar to these.

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The first question of Fatwa no. 6012

Q 1: A long time ago, I wanted to marry a woman. My difficult financial conditions prevented me from marrying her. Many years passed without my desire being fulfilled. i made a vow to marry her even if she grows old. Now that my financial conditions have improved, I find my heart is not attached to her like before. I fear that if I marry her, I will not develop any loving desire towards her. What is Your Eminence's opinion regarding the vow I made a long time ago?

A: Marriage is one of the commendable acts of the messengers. The Prophet (peace be upon him) encouraged Muslims to marry if they possess both the financial and physical means of marriage. It was authentically reported that he (peace be upon him) said: ("O young people! Whoever among you is able to marry should marry, for marriage would help him lower his gaze and keep his virtue. Whoever is not able to marry is recommended to observe Sawm (Fast), for Sawm would diminish his sexual desire.")

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(Agreed upon by Al-Bukhari and Muslim) There is no problem if you refuse to marry the woman whom you had previously thought of marrying as long as you no longer have the desire to marry her. You both will be suited to your compatible partners. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 13875

Q: I came to Saudi Arabia traveling from Egypt along with my sister who works as a teacher in Saudi Arabia. Her contract will be terminated by the end of this year because of her circumstances. She did not marry and she does not desire to go back to work again. I did not have a chance to work here as we live in the customs area between Kuwait and Saudi Arabia. This area is known as Al-Raq'y, a district in Hafr Al-Batin. This area is devoid of any work opportunity because of the circumstances there after the events of Iraq. Therefore, I will return to Egypt aimless. Two years ago, I graduated from the Faculty Shari`ah and Law, Al-Azhar University, Asuit, Egypt in May 1988, with general grade "good." I proposed to engage a young woman from the same city which is Al-Minya governorate. I could not find work; as fresh graduates cannot take governmental jobs except after five years.

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I thought that I might find work opportunities when I came with my sister. After coming, I did not have any work opportunity. The period of engagement became too long. Therefore, I decided to terminate my engagement and not to think of marriage anymore in the future because of my difficult circumstances. My family is a poor family. My sister helped my elder brother to get married. She can not do the same thing with me. What I want to ask is: will I be a sinner if i break my engagement because my fiancé has waited for me for two years, though this is out of my control? Will I bear any sin for breaking this engagement after this long period? I hope you will answer my question soon because I will send them my reply concerning pointing out my stance of this engagement. I can not deceive them until I return to Egypt. This is because my work opportunity here is very rare. May Allah reward you well!

A: There will be no blame on you if you terminate your engagement because of these circumstances. May Allah make easy for you all your affairs! May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 14095

Q: I am a nineteen-year-old girl. About two years ago,

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a twenty-nine-year-old man proposed to me. I was at the beginning of observing the Shar`y (Islamically lawful) clothing and wearing the Khimar (veil covering to the waist). I agreed to the engagement, but I then found out while talking with him that he is not a Multazim (practicing Muslim). I supplicated to Allah (Exalted be He) to guide him, but he has remained unobservant of the obligations ordained by Allah (Exalted be He). I think that it would be Haram (prohibited) to marry him. I have informed all my family members that I want to break the engagement, but they are objecting to this because of what the people would say, especially that the engagement has lasted for two years. My question is: If I am forced to marry him just to please my parents, would it be a lawful marriage? What should my family and I do in such a situation?

A: If the suitor's Din (religion) and manners are satisfactory, that is, he holds fast to the Din and duties of Islam, you should not break the engagement. If not, it is not permissible to continue, and you should break the engagement. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 18383

Q: I have a problem that makes me feel anxious. I fear

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Allah's wrath. I am an Algerian young lady living in the west of Algeria. Five years ago, a young man working as a soldier in the national army proposed to marry me. I accepted his proposal, but for some reason we separated without breaking the engagement. He promised to break the engagement when he would come back on vacation. However, he did not break the engagement for two years. His relatives do not want to be involved in this issue. I decided to end this relationship unilaterally. I ask your Eminence to guide me in solving this problem to be able to choose any other suitor. I want to be sincere to Allah (Glorified and Exalted be He) in doing this. Please answer me in the way that pleases Allah and His Messenger.

A: The mere engagement of a man and woman is not a marriage contract. Either the man or the woman may cancel the engagement if they think it is better to do so, whether the other party agrees or not. However, if the marriage contract is concluded, you may refer to the court in your district which does what is lawfully required. May Allah facilitate your affairs and the affairs of all Muslims!

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Fatwa no. 13938

Q: someone made a marriage proposal to marry my daughter. My daughter and I were satisfied with his character and Din (religion). Nevertheless, my wife did not accept such proposal for no obvious reason. I have tried a lot with my wife that she might change her mind but in vain. I am afraid that if we refuse the concerned proposal, we will not get a similar good fiancé for our daughter in future. Do we thus have to neglect my wife's opinion lest she should not be satisfied with any other proposal, or do we have to follow her opinion until she agrees to a marriage proposal?

A: You may marry your daughter to the person that you and your daughter are satisfied with. The opposition of your wife is to be disregarded. However, you and your daughter have to treat your wife with that which is the best as much as you can. The foregoing is supported by a Hadith in which the Prophet (peace be upon him) said, ﴾If someone with a satisfactory standard of faith and good conduct comes to you seeking marriage, then give him (your daughter, sister, etc) in marriage. If you refuse, that will lead to the spread of great corruption in the land.﴿

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The second question of Fatwa no. 13680

Q 2: A man who recently became Multazim (practicing Muslim) proposed to me. Now he offers Salah (Prayer) and attends religious lectures regularly, to the extent that he travels to attend them in nearby villages. He comes from a descent family. When we inquired about him, we knew that he offers Salah regularly in the Masjid (mosque). Does this conform with the Hadith of the Prophet (peace be upon him) in which he said: ("When you see a man frequenting the Masjid, testify that he is a Mu'min (believer).") ? The Messenger of Allah (peace be upon him) also said: ("If someone with a satisfactory standard of Iman (Faith) and good conduct comes to you seeking marriage, give him (your daughter or sister) in marriage. If you refuse, that will lead to the spread of Fitnah (temptation) and great corruption in the earth.") The Messenger of Allah (peace be upon him) has, indeed, spoken the truth.

Please be advised that I have offered Salat-ul-Istikharah (Prayer for guidance), but I felt nothing, given that my father agrees to him as a suitor but my mother does not like his mother and his sister. Is it a mother's right to turn down a suitor for that reason, although his family is kind? What should I do? Should I turn him down because of my mother's refusal, or agree to marry him because he is a Multazim? May Allah benefit us and you!

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A: Your parents should inquire about any suitor and ask trustworthy people about him. If it becomes evident to you that he is religious and well-mannered, marry him and try to convince your mother. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 15799

Q: I would like explain my situation to Your Eminence, supplicating to Allah that He will guide us all to what pleases Him. My daughter's paternal cousin has proposed to her, he meets all the conditions for marriage, as he is known among his family and community for being pious and having Taqwah (fear of Allah as He should be feared). He is a university graduate and has the ability to provide a satisfactory standard of living for his wife. My daughter has agreed to marry him, because she is pleased with his religious commitment, noble character, and social standing, as did I and the groom's family. None of my children had any objections to this marriage, but her mother did, and she justified her opposition on the grounds of the following weak excuses:

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1. His desire to marry my daughter has spread without our knowledge. 2. The suitor's father (my brother)'s reputation was not sound in the past.

I have tried to convince her through many ways during the past year, and I postponed the marriage for one year hoping that she might change her mind, but she went too far. So I have decided to conclude the marriage, fearing that my daughter will miss the age of marriage, as she graduated from university two years ago. However, when I decided to do this, her brothers and sisters changed their minds and stood by their mother in opposing the marriage, claiming that obedience to the mother has priority over obedience to the father. They based this on the Hadith of the Messenger (peace be upon him) regarding the person who asked him (peace be upon him), "Who is the most deserving of good companionship?" I have tried harder with them, but they insist that this marriage should not be concluded, and when I set the date for the marriage contract to be made, they said that they would not attend, without the intercession of mediators. I have other daughters and sons who have reached the age of marriage, and, in order to avoid the occurrence of such a situation again, I hope that Your Eminence will answer the following questions in writing: 1. In the situation when the daughter agrees to marry a suitor who meets all the conditions for marriage, as does the father, is it a necessity to obtain the agreement of the mother and children also? Should they obey the father and his agreement to conclude the marriage?

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2. How valid is the children's position in supporting their mother, using the Hadith that was mentioned as evidence?

A: if someone proposes to a young woman, and she and her Waliy (a legally accountable person acting for a woman seeking marriage) are pleased with him, none of her other relatives have the right to object to her marrying him, as they are not her Waliy. The Prophet (Peace be upon him) said, ("If there comes to you one whose character and Din (religious commitment) please you, give him (your daughter or female relative) in marriage.") (Related by Ibn Majah and Al-Tirmidhy) This Hadith is only addressed to the Waliy, not anyone else. May Allah grant us success! May peace and

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Seeing one's fiancée

Fatwa no. 12767

Q: is it permissible for a woman to go out with her fiancé prior to contracting marriage?

A: It is impermissible for a woman to go out with her fiancé prior to contracting the marriage without a Mahram (unmarriageable relative) being with them. Actually, it may lead to committing sins and evil consequences.

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The first question of Fatwa no. 10928

Q 1: which parts of the body of a fiancée that her fiancé may look at? I heard many religious scholars limit it to the face and hands. However, I read in Al-Nur Magazine, issued in Egypt by a political party, that a fiancé may look at his fiancée's legs up to knees. I hope that you will send us the sound opinion on the issue. Is it permissible for a fiancé to watch the would-be fiancée while she is walking on her way? Is a Companion authentically reported to have done so?

A: Scholars are unanimous that it is permissible for one who wants to propose to marry a certain woman to look at her face seeking no desire or enjoyment but not staying in seclusion with her. It is judged to be permissible as both of them need this as it is likely that they will live with each other life long. In fact, it is enough to look at the face as all the beautiful aspects can be seen through it. However, some scholars view it is permissible to look at the hands as well as other parts of the body often shown that may motivate a person to go ahead with the marriage. It is also permissible for a fiancé to watch his fiancée while going her way

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to see things that might motivate him to consummate marriage. It is related by Abu Dawud on the authority of Jabir ibn `Abdullah that the Prophet (peace be upon him) said, ("If one of you proposes marriage to a woman, if he can look at her to see that which will encourage him to go ahead and marry her, then let him do so." Jabir said, "I proposed marriage to a young woman, and I used to hide where I could see her, until I saw that which encouraged me to go ahead and marry her, so I did so.") Moreover, it is reported on the authority of Abu Hurayrah (may Allah be pleased with him) that he said, (A man proposed to marry a woman of the Ansar. Thereupon Allah's Messenger (peace be upon him) said, "Did you cast a glance at her?" He said, "No." He said, "Go and cast a glance at her, for there is something in the eyes of the Ansar.") (Related by Ahmad and Abu Dawud.) May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 8233

Q: I am a religious young man who is punctual in performing Salah (Prayer), fasting Ramadan in addition to Monday and Thursday, paying Zakah (obligatory charity) and who performs all Islamic duties. However, I proposed to marry a girl whom I love and want to be my wife. Her family asked me to put off discussing the marriage issue for one year until she finishes her studies. Actually, I go to them any time I want. Is this permissible? Please, bear in mind that I have never given her an evil look and Allah knows my true feelings towards her.

A: If the reality is as you have mentioned, you will be pardoned to have looked at her with the purpose of proposing to marry her. However, you may not look at her after having known her descriptions and appearance. Moreover, you may not stay alone with her for fear of evil consequences. Furthermore, bear in mind that she will remain a non-Mahram (not lawful to look at, touch, etc.) to you until marriage is contracted. We ask Allah to guide you to that which is proper for you regarding religion and life. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The fourth question of Fatwa no. 18068

Q 4: is it permissible for a fiancé to sit alone with his fiancée in her family's house in a room with the door open or in an open living room? Is it permissible for him to sit with her in private or go out with her in the presence of her mother or her younger sister who is 10 years old? Is it permissible for the fiancé to hold the hand of his fiancée and shake hands with her and with her mother? We appreciate your advice! May Allah reward you with the best!

A: It is not permissible for a fiancé to sit in private with his fiancée as long as he has not concluded the marriage contract. It is also not permissible for him to shake hands with her or go out with her because she is not Mahram (spouse or unmarriageable relative) to him. He may look at her when he first proposes to her without sitting with her in private. He may sit with her in the presence of her mother, father or other relatives whose presence will end privacy. It is authentically reported on the authority of Jabir (may Allah be pleased with him) that Allah's Messenger (peace be upon him) said, (When one of you asks a woman in marriage, if he is able to look at what will induce him to marry her, he should do so.) Related by Ahmad, and Abu Dawud. Al-Hafizh Ibn Hajar said, 'Its narrators are reliable.' Muslim reported on the authority of Abu Hurayrah (may Allah be pleased with him) that the Prophet (peace be upon him) said to a man who had proposed to a woman, ("Have you looked at her?" He said, "No." The Prophet (peace be upon him) said, "Go and look at her.") This is because he wanted to marry her.

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The first question of Fatwa no. 6959

Q 1: is it permissible for me to sit in private with the girl who i asked for her hand from her guardians but they have not responded to me nor specified the dowry yet?

A: It is not permissible for you to sit in private with the mentioned woman according to the many Shari`ah evidence indicating that it is unlawful for a man to sit in private with a woman who is not his wife nor one of his unmarriageable relatives.May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The third question of Fatwa no. 16342

Q 3: is it permissible for a fiancé to sit in private with his fiancée or shake hands with her?

A: It is not permissible for a man to sit in private with a woman that is not from his Mahrams (spouses or unmarriageable relatives) even if this woman is his fiancée as long as he has not concluded the marriage contract yet.

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The Prophet (peace be upon him) forbade men to sit in private or shake hands with women who are not from their Mahrams; because this opens the avenues of temptation. Moreover, the Prophet (peace be upon him) did not shake hands with non-Mahram women. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fawta no. 3920

Q: if a person intends to marry a girl; is it permissible for him to ask her if she loves him or not? is it permissible for him to look at her and go out with her? Is it permissible for him to go with her to the cinema or the like?

First: It is authentically reported from the Prophet (peace be upon him) that he said, (A virgin should not be married till she is asked for her consent (which can be tacitly given); and the matron should not be married till she is asked whether she agrees to marry or not.) The person who is entitled to ask her

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is her guardian or whoever may take his place. The person who wants to propose to a woman should not ask her if she loves him or not for this may pave the way for temptation. However, it is permissible for him to look at her without sitting with her in private, if he intends to marry her. **Second:** It is not permissible for the suitor to sit in private with the lady he intends to marry or see any part of her `Awrah (private parts of the body that must be covered in public), nor go out with her as long as he has not concluded the marriage contract yet, for she is not one of his Mahrams (spouse or unmarriageable relatives). In addition, mixing may pave the way for temptations. Also it is not permissible for him to go with her to the cinema or the like. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The ninth question of Fatwa no. 6044

Q 9: is it permissible for a man to marry a woman he has not seen; that he asks for her hand from another country then she travels to him?

A: It is an act of Sunnah that a man should look at the lady he is proposing to in marriage. However, if the man marries a woman

without seeing her, their marriage is valid. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The third question of Fatwa no. 17961

Q 3: is it unlawful for the fiancé to kiss his fiancée at the time of declaring the engagement?

A: It is permissible for the fiancé to talk to his fiancée and see her without sitting with her in private. It is not permissible for him to touch or kiss her before concluding the marriage contract. Before marriage is concluded, there is no formal relationship between the two. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Marriage contract

The fifth question of Fatwa no. 4123

Q 5: I heard so many formulas used for the contracting of marriage, such as 'Ankahtuka',

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'Mallaktuka' and 'Zawajtuka', i.e., "I have given you in marriage," which of them is valid?

A: Any formula that indicates the contracting of marriage is sufficient to make it a valid marriage including the formulas mentioned above as well as any other word to the same effect according to the most preponderant opinion of the scholars. However, 'Ankahtuka', 'Mallaktuka' and 'Zawajtuka' are the most direct formulas. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 18200

Q: what is the Sunnah with regard to concluding the marriage contract? Are there any Hadith about the marriage sermon? Where is the best place to have the marriage sermon? Who should say the marriage sermon? What is the ruling on the practices of people in South Africa; they let a person recite verses from the Qur'an before the marriage sermon? What is the ruling on saying a congregational invocation after the marriage sermon where the orator invokes Allah in loud voice then the attendees raise their hands and say, 'Amen!'?

A: The marriage contract is concluded when the lady's guardian or his deputy expresses approval by saying, for example, 'Ankahtuka', 'Zawajtuka' or similar words which mean 'I give her in marriage to you',

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and the husband or his deputy expresses acceptance by saying, 'I accept or I am content with this marriage' or similar words. All this has to take place in the presence of at least two reliable witnesses. There are no specific formulas or invocations to be said before the marriage contract. However, it is recommended to recite the Khutbat-ul-Hajah (prelude to a sermon or speech) reported from the Prophet (peace be upon him): ('Praise be to Allah, we praise Him, ask His Help and seek His Forgiveness; We seek refuge with Allah from the evils of ourselves and from our bad deeds. He whom Allah guides aright there is none to lead him astray, and he whom Allah leaves astray there is none to guide him, and I bear witness that there is none worthy of being worshipped (in truth) but Allah, He is One, having no partner with Him, and that Muhammad is His Servant and Messenger.') in addition to the following three Ayahs (Qur'anic Verses): (O you who believe! Fear Allâh (by doing all that He has ordered and by abstaining from all that He has forbidden) as He should be feared. [Obey Him, be thankful to Him, and remember Him always], and die not except in a state of Islâm [as Muslims (with complete submission to Allâh)].)

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(O mankind! Be dutiful to your Lord, Who created you from a single person (Adam), and from him (Adam) He created his wife [Hawwâ' (Eve)]) and (O you who believe! Keep your duty to Allâh and fear Him, and speak (always) the truth.) May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 17979

Q: I am a Muslim man from Maghrib who married an Egyptian woman. According to the Egyptian regulations related to marrying a foreigner, the marriage contract is concluded by an Egyptian lawyer whom the husband chooses. My marriage contract was concluded in the following way:

A marriage document was filled out by the lawyer in accordance with the Sunnah (whatever is reported from the Prophet) and based on Abu Hanifah's Madh-hab (School of Jurisprudence). This happened in the presence of the couple, the bride's parents, and two witnesses. Having concluded the writing of the contract, the lawyer read it

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to the attendants who agreed to the conditions referred to therein. The contract was then signed by the couple, the bride's parents, the two witnesses, and the lawyer and was later documented at the Egyptian court. The lawyer who concluded the marriage did not ask the bride's father to express Ijab (a pillar of the marriage contract: a willing offer of marriage expressed by the bride's guardian) by saying, "I give you my daughter in marriage" nor did he ask me to express Qubul (a pillar of the marriage contract: a willing acceptance expressed by the groom) by saying, "I accept to have her as my wife". It is a year now since we have been married; and we are leading a perfect family life.

Is this marriage valid or is it Batil (null and void)? Do I have to conclude a new marriage contract? If the marriage is Batil, what is the kind of Kaffarah (expiation) required of the couple? Please enlighten us. May Allah reward you best!

A: It is obligatory that a new marriage contract be concluded, as merely signing the contract is not sufficient to effectuate it. The Waliy (a legally accountable person acting for a woman seeking marriage) has to express Ijab and the husband has to express Qubul using any wording. The marriage that has been concluded is considered Batil and all the parties have to make Tawbah (repentance to Allah).

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The third question of Fatwa no. 7910

Q 3: An engaged Muslim couple are required by the law to go to the registry office for marriages before the marriage with witnesses to perform the offer and acceptance (the marriage agreement). Is this marriage considered Shar'y (Islamically lawful)? If not, do a Muslim couple have to legally register their marriage before concluding the marriage contract? It should be borne in mind that the registration is beneficial for both the husband and wife if there is a dispute.

A: If the offer and acceptance are expressed, all the other marriage conditions are fulfilled, and there is no impediment, the marriage will be valid. If the legal registration of the marriage is in the interest of preserving each party's present and future rights under the Shari'ah, it is obligatory to register it. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 21076

Q: what is the ruling on a bridegroom who delivers Khutbat-ul-Hajah (prelude to a sermon or speech) and asks for the lady's hand in marriage from her guardian in the presence of witnesses but without the attendance of a marriage registrant? Is this contract valid?

A: If the reality is as you have mentioned with regard to an offer from the part of the father and acceptance from the part of the bridegroom in the presence of witnesses, the marriage contract will be valid. Delivering Khutbat-ul-Hajah by the bridegroom does not affect the validity of the marriage contract. But they have to announce this marriage and not conceal it because the Prophet (peace be upon him) ordered that and asked people to announce it through beating a tambourine. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Concluding a marriage contract for a deaf person

The third question of Fatwa no. 15922

Q 3: a deaf-mute man would like to marry, how can the Ma'dhun (marriage registrant) conclude the contract of his marriage? It may be worth mentioning that the concerned man is illiterate.

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A: The contract of marriage of a deaf-mute person is to be done by meaningful signs that are usually used for communicating with them in matters of their food, drink, etc. This is because in such a case meaningful signs constitute a substitute for speech. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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A Ma'dhun concluding his own contract of marriage

The first question of Fatwa no. 1764

Q 1: is it permissible for a Ma'dhun (marriage registrant) to conclude his own marriage contract? Is a Ma'dhun permitted to ask for fees for concluding a marriage contract? What if the Ma'dhun is given fees without asking for them?

Firstly: It is permissible for Ma'dhun to conclude his own marriage contract if the essential elements and conditions of the validity of marriage exist and the impediments are absent. **Secondly:** It is permissible for Ma'dhun to take fees from the bridegroom, whether the Ma'dhun himself requests so or not, provided that the latter does not receive a salary from the government for his work. If the Ma'dhun is paid by the government, it will be impermissible for him to take fees from the bridegroom.

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The third question of Fatwa no. 11045

Q 3: is it permissible for a man to conclude his own marriage contract for himself?

A: Yes, it is permissible for a man to conclude his own marriage contract. If, for example, the Waliy (a legally accountable person acting for a woman seeking marriage) says to the bridegroom in the presence of two qualified witnesses, "I offer you my daughter so and so in marriage" and the bridegroom replies, "I accept", the marriage contract will be valid. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Contracting marriage via telephones

The second question of Fatwa no. 1216

Q 2: If the Rukns (essential elements) and conditions of validity of marriage are existent, but the Waliy (a legally accountable person acting for a woman seeking marriage) and the husband are in different countries, is it permissible to conclude the marriage contract via the telephone?

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A: Today deception is widespread, as is fraud, and skillfulness in imitating the voices of others to the extent that one person may imitate the different voices and parlances of a group of young and old males and females so that the listener believes that such voices belong to various speakers though it is only one person who copies others. On the other hand, Shari'ah (Islamic law) cares for preserving people's honor and lineage and takes precautionary procedures to safeguard the foregoing more than it does with regard to contracts of other transactions. Therefore, with regard to contracts of marriage: the Committee is of the opinion that proposal, acceptance, and authorization can not depend on telephone conversations. This is to achieve the objectives of Shari'ah, to exercise more caution to ensure safeguarding of the honor and lineage of people, and to block the means to cheating and deception being practiced by wicked people. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The fifth question of Fatwa no. 10666

Q 5: is there a limit for the period between the conclusion of marriage contract and consummating the marriage? Should this period be long or short? What used to happen during the

lifetime of the Prophet (peace be upon him) in this period?

A: There is no limit for the period that is between the engagement and consummation of marriage. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 13175

Q: Some scholars believe that it is improper for muslims to conclude their marriage contract on Sundays, for Christians do this. They also forbid having a Walimah (wedding dinner) on this day and say that this is an imitation of the Kafirs (disbelievers). The scholars who hold this view are graduated from the Islamic University in the Kingdom of Saudi Arabia. Here marriage contracts are concluded on Sundays as the witnesses who are governmental employees cannot testify except on this day. This opinion caused dissension among Muslims. Those scholars support their opinion by saying that the Messenger of Allah (peace be upon him) used to conclude the marriage contracts on Fridays. Your Eminence, did the Prophet (peace be upon him) made this a condition for concluding the marriage contract or can anyone choose the day of concluding his marriage contract?

A: There is no harm in concluding a marriage contract on any day of the week. It is not confined to Friday only as there is no evidence from the Qur'an

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or the Sunnah regarding this matter. Concluding a marriage contract on Saturdays or Sundays is not an imitation of the Kafirs. This is not regarded as taking those two days as festival days. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 20967

Q: i proposed to a practicing Muslim woman for marriage. When I entered our home after concluding the marriage contract, I found my family discussing the matter of my marriage. They asked me where I had been and were asking me to marry my wife's sister instead. They claim that my wife is not pretty and is not suitable for me. I started thinking day and night about many things that worried me a lot. I suffered from a psychological condition, I even thought of many things which I am not pleased with but I can not divorce my wife. I sometimes think that I have committed a sin that displeases Allah. Whenever I used to remember those insinuations, I started to worry.

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I even reached the condition that whenever I am talking to someone else I feel as if someone else is talking to him and not me. At last, I went to see a psychiatrist who told me that I have no hand in what I have been suffering from. All praise is due to Allah, I am now cured. Your Eminence, is my marriage valid despite all what I have gone through? Please, advise me for you will be responsible for the Fatwa you give me before Allah on the Day of Resurrection. Please make Du`a' (supplication) wishing for me all good you love for yourself.

A: The contract is valid if you were adult and of a sound mind upon concluding the marriage contract. The psychological disturbances which you were suffering from have no effect on the validity of the contract and you do not have to renew it. Praise be to Allah Who has cured you from this illness. We advise you to fear Allah, observe morning, evening and sleep Adhkar (invocations and Remembrances said at certain times on a regular basis), recite the Qur'an, perform the congregational Prayers in the Masjid (Mosque), and accompany pious people. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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(Part No. 18; Page No. 95)

Fatwa no. 20951

Q: A relative of mine married one of his daughters to a person. The contract of marriage was concluded by a Ma'dhun (marriage registrant) authorized by the Legal Court. Marriage was thus consummated and the couple lived together for a period of time. Nevertheless, a dispute occurred between my relative and the Ma'dhun because of some other reasons which did not have any relation to the concerned marriage. My relative thus swore to conclude the contract of marriage again via another Ma'dhun but his son in law refused to do so. We tried with my relative several times to abandon his request but he refused. He further boycotted his daughter and her husband so that they might respond to his request and conclude the contract of marriage again. Is it permissible to respond to such a request? Please provide us with your beneficial answer regarding this matter so that your Fatwa may help me convince my relative. I hope that Allah will reconcile him with his daughter and her husband when he is informed of your Fatwa.

A: such a request of the concerned wife's father is impermissible and unjustified. The concerned couple does not have to respond to it. This is because the first contract is valid as all the conditions

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of its validity and Rukns (essential elements) are met and all impediments are absent. The desire to avenge oneself, quarrels, and disputes must not be reasons for neglecting the rulings of Allah (Exalted be He). On the other hand, the concerned wife's father has to make an oath Kaffarah (expiation) for the incapability of doing what he swore to do. He is to be advised not to swear much. Allah (Exalted be He) says, ﴾And protect your oaths (i.e. do not swear much).﴿ and ﴾And make not Allâh's (Name) an excuse in your oaths against your doing good and acting piously﴿ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Writing a marriage contract in the church

The twenty ninth question of Fatwa no. 11967

Q 29: Is it permissible to write a marriage contract in a church? Is it permissible to write the marriage contract twice, once in the Islamic way and the other in the Christian way to satisfy both parties?

(Part No. 18; Page No. 97)

A: It is impermissible to write a marriage contract in a church. The Islamic contract is enough; and the other contract is nullified. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 2757

Q 2: Is it permissible to participate with Mushriks (those who associate others with Allah in His Divinity or worship) in their daughters' marriage contracts?

A: It is impermissible for Muslims to take part with Mushriks in writing their daughters' marriage contracts, as this entails loyalty to them and satisfaction with their Kufr (disbelief) and rejection of Islam, the religion other than which Allah (Exalted be He) does not accept. You can refer to the book written by Shaykh-ul-Islam Ahmad ibn Taymiyyah (may Allah be merciful with him) entitled "Iqtida' Al-Sirat Al-Mustaqim". This issue and others like it have been explained in detail. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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concluding a marriage contract to acquire citizenship

Fatwa no. 15722

Q: All praise be to Allah, we are young Muslim men from Egypt, but we live in the Netherlands. We want to ask about the Islamic ruling on the young Muslim men who resort to marrying European or foreign women who have permanent residence to obtain permanent residency in the Netherlands, even though this marriage is sham; it is only on paper. The man does not live with the woman nor does he have intimate relations with her as a wife. He just goes with her and two witnesses to the government office to conclude the marriage contract. Then, after that, each of them goes on their own way with the woman receiving a large sum of money. Is it permissible for a Muslim man to resort to this fraud to obtain residency, due to the bad economic circumstances that we are living under in Egypt? What is the ruling of the Shari'ah (Islamic law) on the money that the woman receives for this? Please answer me and may Allah guide you to enlighten many young Muslims who face this problem.

A: The marriage contract is one of the contracts whose greatness is emphasized by Allah, the Almighty, calling it a solemn covenant. It is not permissible to conclude a marriage contract lacking in authenticity to obtain residency.

May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions.

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Fatwa no. 14086

Q: A young man studied until he became one of the greatest scholars. He then heard that his parents' marriage contract was concluded with Salat-ul-Fatih (Remembrance from the Tijaniyyah order) that states, "O Allah! Send Your blessings on Muhammad Al-Fatih (the Opener) of what is closed, the Seal of what preceded him, and the one who supported Al-Haqq (the Truth) with Al-Haqq." When he heard this, he gathered the scholars to rectify the situation at once. Is this man considered his father's son; whether this marriage was concluded out of ignorance or according to the Tijaniyyah (a Sufi order that stresses culture, education, and ritual practices by disciples) order that reached us through Ahmad Al-Tijany? Please advise us concerning this serious problem, while mentioning the evidence and printing them on paper, so that this issue is clearly solved. I would like to receive the answer by the beginning of the next month. Allah is the One Who guides us and leads us to the right way. May we enter Jannah (Paradise) with Allah's Mercy and Generosity; He is the One Who answers all prayers. As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!).

A: Reciting salat-ul-Fatih on concluding a marriage contract does not nullify the contract, because it is recommended to deliver a speech before concluding it, even though it is not one of the conditions of marriage. This speech is Khutbat-ul-Hajah (prelude to a sermon or speech) that was authentically reported from Ibn Mas`ud (may Allah be pleased with him) in his saying: (The Messenger of Allah (peace be upon him) taught us Khutbat-ul-Hajah that goes as follows: "Praise be to Allah, we thank Him, seek His help, ask for His forgiveness, and seek refuge with Him from the evils of ourselves. Those whom Allah guides there is none to lead them astray; and those whom Allah leads astray there is none to guide them. I testify that there is none worthy of being worshipped but Allah, and that Muhammad is His Servant and His Messenger. (O you who believe! Fear Allâh (by doing all that He has ordered and by abstaining from all that He has forbidden) as He should be feared. [Obey Him, be thankful to Him, and remember Him always], and die not except in a state of Islâm [as Muslims (with complete submission to Allâh)].) (O mankind! Be dutiful to your Lord, Who created you from a single person (Adam), and from him (Adam) He created his wife [Hawwâ (Eve)], and from them both He created many men and women; and fear Allâh through Whom you demand (your mutual rights), and (do not cut the relations of) the wombs (kinship). Surely, Allâh is Ever an All-Watcher over you.) (O you who believe! Keep your duty to Allâh and fear Him, and speak (always) the truth.) (He will direct you to do righteous good deeds and will forgive you your sins. And whosoever obeys Allâh and His Messenger (صلى الله عليه وسلم), he has indeed achieved a great achievement (i.e. he will be saved from the Hell-fire and will be admitted to Paradise).))

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The fifth question of Fatwa no. 16525

Q 5: a new phenomenon has recently emerged in wedding ceremonies called "Zabihat-ul-Milkah," [marriage contracting sacrifice] for which the husband slaughters animals immediately after contracting the marriage. There is also recitation of poetry, lights, games, and dancing during the course of the night. The financial status of most of the married couples is no secret from Your Eminence, but this phenomenon has now become something important which most people cannot dispense with. This is other than the Walimah (wedding dinner), which will follow afterwards. What is the ruling on this; is it a Bid'ah (innovation in religion) or not?

A: Holding a Walimah at contracting of marriage is not regarded as a Bid'ah, rather it is a custom, and the ruling on it depends on the surrounding circumstances. If it includes extravagance and wastefulness, is more of a burden on the groom than he can bear, and includes beating the drum and dancing, mixing between men and women, and the like, this is not permissible. But if it is free from prohibited acts, this is permissible.

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We advise married couples and their parents to be kind and avoid affectation and spending their money on what is not beneficial. The lesser is the marriage expense and the easier in fulfilling its commitments, the more promising it is to bring happiness and success to the married couple. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 16375

Q: Most of the Imams (the one who leads congregational Prayer) and shaykhs of Masjids (mosques) have agreed that du`a' (supplication) in the marriage contract or when naming a child should be made by Salat-ul-Fatih (Remembrance from the Tijaniyyah order), which says: "O Allah! Send Your blessings on Muhammad Al-Fatih (the Opener) of what is closed, the Seal of what preceded him..." What is the ruling on this?

A: Salat-ul-Fatih has no origin in Shari`ah (Islamic law); and what has no origin in Shari`ah is regarded as Bid`ah (innovation in religion), because the Prophet (peace be upon him) said: ("Whoever does any act for which there is no sanction from our behalf, it is to be rejected.") Also, this Salah includes words which exceed the proper limits regarding the Prophet (peace be upon him), who said: ("Do not exaggerate in praising me as the Christians praised the son of Maryam (Mary).") According to the Ijma` (consensus of scholars), it is permissible to send peace and blessings on the Prophet (peace be upon him) in the wording that is known and mentioned in the Hadith. You can refer to Jala'

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Al-Afham fil-Salah wal-Salam `ala Khayr-il-Anam for Imam Ibn Al-Qayyim to know the Islamically acceptable wording of sending peace and blessings on the Prophet (peace be upon him) as related in the Two Sahih (authentic) Books of Hadith (Al-Bukhari and Muslim) and other books. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The eighth question of Fatwa no. 17880

Q 8: Engagement and marriage contract: there are some local customs practiced by the followers of Imam Malik's school of jurisprudence upon engagement or holding the marriage contract, such as distributing flowers and lawful fruits among people. Some tribes used to distribute salt in order to spread the news of this engagement or marriage contract among people. Every one who is given a flower or salt is told about this contract.

The followers of the Hanbaly school of jurisprudence deem this practice unlawful. They say that the Prophet (peace be upon him) did not do such things. They used to distribute dates only. Moreover, they consider all things related to local customs to be Bid`ah (innovation in religion).

A: Concluding the marriage contract must be according to legal formula which is the offer from the part of the guardian of the woman or his deputy and acceptance from the part of the husband or his deputy. This must be done in the presence of two just witnesses. It is not permissible to distribute fruit or

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bring flowers. This is because doing so has no basis in Shari`ah (Islamic law). But it will be recommended to prepare wedding banquet at any suitable time. The Prophet (peace be upon him) said to the one who wanted to marry, (Give a Walima (wedding banquet) even if with one sheep.)

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 8843

Q 2: a man wants to marry a woman and he paid the Mahr (mandatory gift to a bride from her groom) to her guardian but he did not hold a wedding party. Is this woman regarded as his wife?

A: If he concluded the marriage contract but did not consummate the marriage, she is his wife and takes the ruling of a woman with whom the marriage has not been consummated, namely, she takes half of the Mahr if he divorces her before consummating the marriage. Furthermore, no `Iddah (woman's prescribed waiting period after divorce or widowhood) is required from her after the divorce, for Allah (Exalted be He) says: ﴾And if you divorce them before you have touched (had a sexual relation with) them, and you have appointed unto them the Mahr (bridal-money given by the husband to his wife at the time of marriage), then pay half of that (Mahr), unless they (the women) agree to forego it, or he (the husband), in whose hands is the marriage tie, agrees to forego and give her full appointed Mahr. And to forego and give (her the full Mahr) is nearer to At-Taqwa (piety, righteousness).﴿

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He (Exalted be He) also says: ﴾O you who believe! When you marry believing women, and then divorce them before you have sexual intercourse with them, no 'Iddah [divorce prescribed period, see (V.65:4)] have you to count in respect of them.﴿ However, if the husband died before consummating the marriage and did not divorce her, then the woman deserves the whole Mahr, completes the period of `Iddah, and inherits her share of his legacy as well. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 1064

Q: is it obligatory that the marriage contract be concluded by someone who dictates the Waliy (a legally accountable person acting for a woman seeking marriage) of the bride the formula of affirmation and dictates the husband the formula of acceptance? Or is it permissible to conclude marriage without this person if the marriage fulfills its conditions and pillars?

A: If the matter is as mentioned in the question that affirmation and acceptance are confirmed by you and her father, the dowry is delivered, the witnesses are present and the girl

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whose name is mentioned in the contract agrees, then the marriage is correct even if no other person assumes the concluding of the marriage contract. This is not a condition for the validity of marriage or a supplementary to it. Governments ordered that the marriage contract should be concluded and registered by the marriage official to put an end to chaos, stop cheating, protect the lineage, honors and rights and to prevent denial in case of disputes that arise in this regard. The ruler should be obeyed in such matters and the like to help him control his people and achieve the best interest for them. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	Ibrahim ibn Muhammad Al Al-Shaykh

The second question of Fatwa no. 8129

Q 2: people usually give marriage registrars a sum of money for concluding the marriage contracts. Is it permissible for the marriage registrar to take this money? It should be noted that he may travel a long distance to contract the marriage.

A: If the marriage registrar is not a governmental employee who receives a regular salary from the state in return for concluding the marriage contracts, it will be permissible for him to take this money in return for concluding the contracts.

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However, if the marriage registrar is a governmental employee, it will not be permissible for him to take this money even if he travels from the place of work to the place of concluding the contract. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 4646

Q: A marriage contract of a virgin bride was concluded while she was menstruating. She did not get married before then. The marriage registrar did not know this. Is this marriage contract invalid that needs to be made again? Is menstruation considered one of the restraints of contracting marriage if the bride is a virgin or is it just an undesirable act? It should be noted that according to our customs a husband is not allowed to consummate marriage after contracting the marriage unless he has fulfilled the marriage conditions. These marriage conditions are so strict that a husband usually takes a long time to fulfill them. We appreciate your advice! May Allah reward you well!

A: If the marriage contract is concluded while the bride is in her menses, it does not affect the validity of the contract, whether the bride is a virgin or a matron. It is a valid contract and it is permissible for them to wed even if she is in menses. But it is not permissible for them to

have sexual intercourse before the woman's menstrual blood stops and she performs Ghusl (ritual bath following major ritual impurity). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 6117

Q: I gave my daughter in marriage to a man. They did not get along well together, then she abandoned him and came to live with me at my home. She stayed for two years. During this period, her husband did not have sexual intercourse with her. Later on, he divorced her. She had her menses three times after divorce and before the elapse of three months. then I gave her in marriage to another man before the elapse of three months after divorce. The second husband is one of my relatives and he is a wise, religious and well-mannered man. Now, the three months have elapsed and the second husband has not consummated his marriage with her yet. Afterwards, I heard from some people that this marriage contract is not valid. I hope your Eminence will tell me the ruling of this marriage contract. Is it valid or should we conclude a new marriage contract?

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I appreciate your advice! May Allah reward you well for what you do for Islam and Muslims!

A: If the reality is as mentioned, that the marriage contract was concluded after the mentioned woman had had her menses three times after divorce, it is a valid marriage contract even if she had three menses in less than three months. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 721

Q: is it permissible to conclude the marriage contract while one of the spouses is in a state of Janabah (major ritual impurity related to sexual discharge)?

A: The validity of a marriage contract does not require the Taharah (ritual purification) of both spouses. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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`Abdullah ibn Sulayman Ibn Mani`	`Abdullah ibn `Abdul-Rahman ibn Ghudayyan	`Abdul-Razzaq `Afify

The second question of Fatwa no. 8049

Q 2: I would like your Eminence to explain the ruling of Shari`ah on concluding the marriage contracts in Masjids (mosques). It should be noted that all relevant Islamic teachings will be fulfilled such as preventing mixing between men and women or using musical instruments.

A: If the reality is as mentioned, there is no harm in concluding the marriage contract in the Masjid. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 9388

Q 2: Is concluding the marriage contract regularly in Masjids (mosques) considered a Sunnah (a commendable act) or is it a Bid`ah (innovation in religion)?

A: The matter of concluding the marriage contract in Masjids is flexible, for there is no religious evidence that indicates that it is a Sunnah. So, concluding it in Masjids regularly is considered Bid`ah.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 9903

Q: What is your opinion concerning holding marriage ceremonies in Masjids (mosques)? In these ceremonies men and women attend but each has a separate place. After concluding the marriage contract, some people give a religious sermon then sweets are distributed to the attendees. Later on, everyone congratulates the bride and groom then leave. It should be noted that children and some women and men who are not committed to Islamic religious teachings attend these ceremonies. We also notice that many religious brothers in Egypt insist on concluding the marriage contract in this way.

What is the right thing with regard to this issue? We hope you will explain all the sides of this issue and provide us with evidence so that everyone might benefit, In sha'a-Allah (if Allah wills).

A: It is not of the Sunnah to conclude the marriage contract in a Masjid, and concluding it regularly inside Masjids and believing that it is an act of Sunnah is itself a Bid`ah (innovation in religion). It is authentically reported from the Prophet (peace be upon him) that he said, (He who innovates things in our affairs for which there is no valid (reason) (commits sin) and these are to be rejected.)

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If this marriage contract is attended by women displaying their charm and children messing around in Masjids, it has to be prevented because of the evils it involves.May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 9553

Q: People in our village are confused with regard to concluding the marriage contract in Masjids (mosques); they do not know whether it is a Sunnah or a Bid`ah (innovation in religion). The reason behind this confusion is the following Hadith, (Announce the contract of marriage, and make it in the mosque, and declare it using the Duff (a tambourine-like instrument without bells).)

What is the degree of authenticity of this Hadith, especially this part of it: (and make it in the mosque.) **Is concluding the marriage contract in a Masjid a Sunnah or Bid`ah? We are interested to know the titles of books showing the Sanads (chains of narrators) of this Hadith as well as the books of Hadith where it is reported.**

I read in the book entitled "Fiqh Al-Sunnah" that Al-Tirmidhy graded this Hadith as Hasan (a Hadith whose chain of narration contains a narrator with weak exactitude, but is free from eccentricity or blemish). We hope that you will comment on this to explain things for people because they conclude marriage contracts in Masjids and regard it a commendable act and a Sunnah of the Messenger of Allah (peace be upon him).

A: First: This Hadith is related by Al-Tirmidhy with his Sanad. He said,

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Ahmad ibn Mani` told him that Yazid ibn Harun told him that `Eisa ibn Maymun Al-Ansary reported on the authority of Al-Qasim ibn Muhammad from `Aishah (may Allah be pleased with her) that Allah's Messenger (peace be upon him) said, (Announce the contract of marriage, and make it in the mosque, and declare it using the Duff (a tambourine-like instrument without bells).) Al-Tirmidhy commented on this Hadith saying, "It is a Hadith Hasan Gharib (a good Hadith that is strange to come from this chain of narration) in this concern." `Eisa ibn Maymun Al-Ansary is a weak narrator of Hadiths while `Eisa ibn Maymun who reported exegesis from Ibn Abu Nujaih is a reliable narrator. This Hadith is also related by Al-Bayhaqy but his Sanad contains Khalid ibn Ilyas whose narrations are rejected. **Second:** The Shari`ah encourages announcing marriage contracts. With regard to concluding marriage contracts in Masjids, it is not an act of Sunnah and the mentioned Hadith is not evidence in this regard. In fact it is a weak Hadith; because `Eisa ibn Maymun Al-Ansary and Khalid ibn Ilyas are weak narrators. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

(Part No. 18; Page No. 114)

Fatwa no. 9756

Q: I popped my finger upon holding marriage contract. I was unaware that popping and crossing fingers put future obstacles before the husband. After I knew that I should not do that, I was shy to ask. I have three children as I got married seven years ago. What should I do? Should I hold a new marriage contract? What should I do?

A: If the reality is as you have mentioned, there will be no blame on you for crossing your fingers together or for popping them upon holding the marriage contract. Doing such things does not affect the marriage contract. You do not need to hold it again as it is a valid contract. Moreover, you have to give up superstitions because they contradict Islam. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21272

Q: while concluding the marriage contract, some people may use the Misbahah (counting beads used when remembering Allah) or cross their fingers or break straws, which may cause some problems as they believe that these things affect

the failure of the marriage. We hope that you explain this matter to us.

A: You should put your trust in Allah (Exalted be He), rely on Him, and set aside any doubts or insinuating whispers of Satan. The marriage contract should be attended only by those who have sound Islamic creed and have nothing to do with such malicious acts. Those who are known for practicing such deeds should be reported to the authorities to be punished and relieve people from their evil. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 5627

Q: I proposed to get engaged to a young woman with Allah's favor in Ramadan 1401 A.H. My family and her family agreed on the dowry and the engagement present which was some gold. Before the end of this meeting, I told my fiancée's father that I do not want to displease Allah with regard to the wedding ceremonies. I would like my wedding to be according to Shari`ah (Islamic law), not according to Egyptian customs in their wedding ceremonies with dancing and uttering trilling cries of joy. He agreed with me on this point. I praised Allah (Exalted be He) for His favor on me in this regard.

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Days and months passed after that situation. When the wedding was due, my fiancée's father changed his mind with regard to wedding ceremonies. He said that she was the first of his children to get married and he desired to enjoy her wedding ceremony. He wanted to hold this wedding in a club where there would be dancing and the like. I refused that completely and as a result they changed their stance. They suggested to me to hold a small wedding party at home to which only family members and friends would be invited. There would be mixing between men and women and men and women might come to shake hands with the bride. Moreover, the bride refused to wear the veil on that night. She said that she would wear a white hat and a wedding dress that would cover her neck. But all these things can not replace the veil because they will reveal the shape of the bosom and neck.

Our great Shaykh! This is the best the family of my fiancée would offer. My family advised me not to push matters to complexity, telling "This is only one night in your lifetime. When you have your wife at home, the word will be yours; you can then abide by the Shari`ah." There were also other similar perplexing sayings. Moreover, my family said that if I create difficulties, I will be as if I intend to break the engagement. Therefore, she will have the right to take the gold engagement present which is 300 pounds in value and the dowry amount which is 600 pounds. Moreover, she will also take the presents I gave her on occasions and festivals. I have not concluded my marriage contract yet. The marriage contract was scheduled to be concluded on the wedding day. My love for Allah and His Messenger is greater than my love for these worldly pleasures. Therefore, I decided to write to you to advise

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and guide me as to what I should do. 1- What should I do if her father insists on holding the wedding ceremony in a club where there is dancing and music? 2- What should I do if they decide to arrange a gathering where relatives and friends whether men or women will come to shake hands with her? There will be music and many Bid'ahs (innovation in religion) at this gathering. Moreover, she will not wear a proper Islamic dress.

If my fiancée's father insists on doing so and she follows him under the pretext that she does not desire to displease him. Will it be my fault if the engagement is broken. If I do this, I will not take any of the money that she took from me. Should I follow those who

say that it is just one night and when she comes to my house, no one can exercise control over her except me?

A: You are not permitted to agree with your fiancée's father or anyone else in doing what is prohibited by Allah (Glorified and Exalted be He). Moreover, you are not permitted to do what you say of holding a wedding ceremony in a club where dancing, music, and mixing between men and women will take place. Men and women are not permitted to shake hands with each other as long as they are not Mahram (a spouse or an unmarriageable relative). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question of Fatwa no. 4029

Q 1: a person believes that the dead can bring about harm and benefits and, thus, has concluded his marriage in a shrine. Is this marriage valid?

A: If they believe that the person buried in the shrine brings about good to the marriage contracts that are concluded there, blesses the couple in their marital life, and brings them happiness, they are Mushriks (persons who associate others with Allah in His Divinity or worship) and their marriage contracts take the same ruling on those of Kafirs (disbelievers), regarding parentage, inheritance, and the like. Such contracts are valid if the couple embrace Islam and sincerely believe in Tawhid (the Oneness of Allah). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 1113

Q 1: is it permissible for a Muslim man to have his marriage to a woman from the People of the Book (Jews and Christians) announced in a church by a priest, after marrying her according to the way prescribed by Allah and His Messenger in an English Registry Office?

A: It is not permissible for a Muslim man to have a priest announce his marriage to a Muslimah (Muslim woman) or a woman from the People of the Book in a church, even if it is after he has married her in the way prescribed by Allah and His Messenger.

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This is because it entails imitation of the Christians in their marriage rituals of their churches. It also shows veneration for the Christian scholars and devotees. The Prophet (peace be upon him) said, (“Anyone who imitates a people is from them.”) (Related by Imam Ahmad through a good Sanad [chain of narrators]) May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The essential elements in a marriage contract

Both spouses being free from impediments

The first question of Fatwa no. 9446

Q 1: i made a written, endorsed Wakalah (appointment of a legally accountable person to act on behalf of another for a specific permissible matter) to a Muslim brother through the Yemeni embassy in Jaddah, so that he might conclude my marriage contract to a Yemeni girl who lives in Yemen with her parents. I am a young Yemeni man living in Saudi Arabia, in the city of Al-Ta'if. I wrote the Wakalah in the presence of two witnesses. The girl's name is Latifah. However, when the Wakalah reached the Wakil (legally accountable person who acts on behalf of another for a specific permissible matter), he told me on the phone that the girl's real name is Amatul-Latif, whereas Latifah

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is her nickname among her family and friends; it is just a contracted form of the name. I told the Wakil that I had no idea about this; I thought that Latifah was her real name; and I was ready to make another Wakalah including the real name. However, he said there was no need to do this, and that he was going to write her real name in the marriage contract. The court made sure of this, and her father confirmed that Latifah is the nickname for Amatul-Latif. The marriage contract was written in her real name, Amatul-Latif, and so was her passport. Thus, Amatul-Latif and Latifah are two names belonging to the same person. She lives with me now in Al-Ta'if. We have been married for about two weeks. Your Eminence, are the Wakalah and the contract considered valid? When I wrote the Wakalah, I had no idea that she had another name, which is her formal name.

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Given the abovementioned circumstances, are the Wakalah and the contract valid?

A: As the Wakalah was made to conclude the marriage contract with a certain, known woman, and you wrote it in her nickname, which is part of her real name, the Wakalah is valid, and so is the marriage contract if all its conditions are met and none of its impediments are present. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 9350

Q: my father concluded my marriage contract by delegation as I was absent. The wife is an Arab muslim girl whom I defined by name. She, her parents, and brother were present and her father acted as her Waliy (a legally accountable person acting for a woman seeking marriage). The marriage contract was signed in the Islamic center in the city of Rouen, France. As I was not present, is this contract valid or do I have to conclude a new one? Please send me a written answer!

A: If the reality is as you mentioned, the marriage contract is valid. The fact that you were not present has nothing to do with it being invalid as long as you delegated your father to act on your behalf. As such, you do not have to conclude a new contract. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 3379

Q: Your Eminence, i authorized my father to be my agent in marrying the eldest one of my cousins on my behalf. I used to live in a remote city far from my father and my uncle. The girl whom I authorized my father to marry on my behalf got married to another man, so my father concluded the marriage contract with the younger girl instead of the elder. When I heard the news, I was satisfied with what my father had done and considered her as my wife and she was satisfied with that. After I came, my uncle asked me to bring him a Fatwa concerning whether this is permissible or not. The question is: Is this permissible or not? Could you kindly advise? May Allah protect you!

A: If the matter is as mentioned, the contract is valid because it is one of the contracts which depend on the consent of the competent person and this condition is fulfilled.

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2. Mutual consent of the spouses

The second question of Fatwa no. 3833

Q 2: What is the ruling on someone who gets engaged to a girl who is less than nine years old and contracts the marriage? Is such a marriage valid, bearing in mind that she refuses him after she has grown older? What age is suitable for a girl to be engaged?

A: It is permissible to contract the marriage of a young girl by her father especially if he sees some contingent benefit for her in it. This is supported by the story that the Prophet (peace be upon him) married `A'ishah when she was less than nine years old. However, no one other than a father may contract the marriage of a girl who is less than nine years old. Moreover, girls over the age of nine may not be married unless their permission is sought. The Prophet (peace be upon him) said, (A matron should not be given in marriage except after consulting her; and a virgin should not be given in marriage except after she gives consent. The people asked, "O Allah's Messenger! How can we know her consent?" He said, "Her silence (indicates her consent).") If a dispute arises thereafter, it should be referred to Shar`y (Islamic legal) courts.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question of Fatwa No. 18734

Q 1: Is it true that the Prophet's marriage to `Aishah while still young was one of his particularities or was it a legislation for the whole Ummah?

Is it permissible to consummate marriage with immature girl? If not, how then should she observe three months as `Iddah (waiting period)?

A: The Prophet (peace be upon him) betrothed `Aishah (may Allah be pleased with her) while she was six years old. He consummated the marriage in Madinah when she was nine years old. Actually, this is not a particularity just for him. Thus, it is permissible to contract the marriage of an immature girl and consummate it

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even before maturity if she is able to. As for the `Iddah of an immature girl, Allah (Glorified and Exalted be He) defined the `Iddah of those who have passed the age of monthly courses and those who are still immature to be three months. Allah (Exalted be He) said, ﴿And those of your women as have passed the age of monthly courses, for them the 'Iddah (prescribed period), if you have doubt (about their periods), is three months; and for those who have no courses [(i.e. they are still immature)﴾ In fact, immature girls are included under the category: ﴿and for those who have no courses [(i.e. they are still immature) their 'Iddah (prescribed period) is three months likewise, except in case of death].﴾ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 8348

Q 1: The father of a Muslim sister who is committed to her religion wanted to give her in marriage to his nephew as he is wealthy. The sister refused because he does not perform Salah (Prayer) and drinks alcoholic beverages. On informing her father about her refusal, he gave her a terrifying threat. She then left the house as her marriage to such person could be null and void and came to me asking for help. Should I refuse to help her anyway? What is the ruling on her leaving the house?

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A: It is impermissible for her father to give her in marriage to someone she does not like. Moreover, she may not expose herself to dangers by leaving her father's house. Rather, she may seek the help of some Mahrams (unmarriageable relatives) to save her. However, if they avail nothing, she may bring suit to the court to release her from this situation. Furthermore, you may help her in such a manner as to protect her honor and save her from marrying a person she does not like even through giving advice and guidance. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question of Fatwa no. 7289

Q 1: what is the ruling on a woman who is married off against her will?

A: If she does not consent to the marriage, the matter has to be settled in court which will determine whether to endorse or annul the marriage contract. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

(Part No. 18; Page No. 127)

The second question of Fatwa no. 12018

Q 2: a man came to my father asking to propose to one of my sisters. My father agreed to give her to him in marriage. Some time later, the man came and asked my father to conclude the marriage contract. My father told him that he first had to ask my sister's opinion about marrying him. As she refused to marry him, my father persisted in asking her to marry him. Each time he asked for her consent, she would refuse and threaten to set herself on fire if she ever knew that he agreed to conclude the marriage contract. A long time later, the man came again demanding to conclude the marriage, and again she refused and threatened to do the same. The man brought my elder brothers and maternal uncle as intermediaries and again she refused. Upon threatening her to marry him, she would cry and wish she had not been created. She told them that she would accept to marry any other man except this one. She told them that were they to make mincemeat of her, she would still refuse to marry him. Then my elder brother suggested marrying her off to him against her will. He said that he was indebted to that man who helped him marry after his wife's family had turned him down. It is now six years

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since this happened. My elder brother still insists that she should be married to that man. He threatened not to ever visit my father unless he marries her to him unwillingly. This put my father in an embarrassing situation. He asked me to send you this message. I would like to add that the man who proposed to my sister is an old married man who had another wife ten years ago but divorced her. He also seems to be pious. My father asks whether he should marry his daughter off to that man against her will so that his elder son will be content or if he should turn down the proposal. What is the ruling if this marriage is concluded? Will there be any sin on my elder brother, my father, my sister, and the man who insists on marrying her? Please clarify this issue.

A: If the reality is as you mentioned, it is forbidden for your father to marry your sister off to that man whom she has refused to marry. It is not permissible for your brother to ask his father to force her to marry him. Your brother has to make Kaffarah (expiation) for breaking his oath. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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(Part No. 18; Page No. 129)

Fatwa no. 14265

Q: A Muslim girl says that she holds fast to the Din (religion) of Islam, but she lives with a family which is totally unobservant of its teachings. Her family causes her much hardship just because she holds fast to the Din. She is still young but endures these hardships and seeks knowledge. She really wants to acquire knowledge of the Shari`ah (Islamic law) and be active in Da`wah (calling to Islam) in her village. However, her family has forced her to marry one of her cousins.

A: It is not permissible to force a girl that is nine years old or more to marry, whether it is the father who forces her or any other Waliy (a legally accountable person acting for a woman seeking marriage). This is because the Prophet (peace be upon him) said: ("A matron should not be given in marriage except after consulting her; and a virgin should not be given in marriage except after her consent. The people asked, 'O Allah's Messenger! How can we know her consent?' He said, 'Her silence (indicates her consent).'") (Agreed upon by Al-Bukhari and Muslim) In another narration from Muslim (may Allah be merciful with him) in his Sahih (authentic) Book of Hadith, he related: ("A virgin's father must ask her consent, and her consent is known by her silence.") If the Waliy refrains from asking her consent and forces her to marry, she is permitted to refer her case to the court. May Allah guide us all to knowing Al-Haqq (the Truth) and following it!

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 14244

Q 2: is it permissible for the legal guardian or blood relative of an adult orphan to give her in marriage without her acceptance?

A: If the case is as you have mentioned, the Waliy (a legally accountable person acting for a woman seeking marriage) is not permitted to give her in marriage without her consent, as it is authentically reported that the Prophet (peace be upon him) said, ("A virgin should not be given in marriage until her permission has been sought." They asked, "O Messenger of Allah! How does she give her permission?" He said, "By keeping silent.") May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

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The second question of Fatwa no. 18254

Q 2: what is the ruling on asking the girl's opinion about a suitor? If she does not accept, would it be a sign of disobedience to her father?

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A: The consent of the girl should be taken regarding her marriage, whether she is a virgin or previously married. If she refuses to marry a certain person, that will not be considered as disobedience to her father because she has the right to accept or not. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 18867

Q: Respected Sheikh, as you know, Allah has commanded us to cooperate in righteousness and piety, as He states, ﴾Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression.﴿ **While we were visiting some tribes living in remote villages, we discovered some unacceptable customs related to marriage. These are as follows: 1) When a suitor asks a father's permission to marry his daughter, the father does not ask for his daughter's approval. 2) Even worse, he may take a woman other than his daughter, like her mother, her sister or the suitor's sister, to the Ma'dhun (marriage registrant). The fake bride is then presented to the Ma'dhun and is made to sign the marriage contract. These people claim that the girl accepts the proposal, but due to her shyness of going to Ma'dhun they take a married woman instead**

to sign the contract.

We ask Your Honor to refer this matter to His Honor Sheikh Abdul-`Aziz ibn `Abdullah ibn Baz, **the General Mufty of the Kingdom of Saudi Arabia, to advise these people who do such things.**

A: the adult woman, virgin or previously married, should not be married except with her consent and permission. The Prophet (peace be upon him) stated, ﴾A previously-married woman should not be married without consulting her and a virgin should not be married without asking her permission." They said, "O Messenger of Allah, how does she give her permission?" He said, "If she remains silent."﴿ (Agreed upon by Al-Bukhari and Muslim). If the woman is shy to go to a Ma'dhun, two trustworthy men may, at her request, affix their signature as witnesses to her consent of marriage. As for the act mentioned in the question, it is prohibited in Islam. Allowing a woman other than the bride to sign the contract constitutes forgery. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 16226

Q: I have two daughters; and I gave one of them in marriage to a person. After a year or two, this person asked me to give my other daughter in marriage to his brother who has two wives, and I agreed.

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After a while my son-in-law asked me to conclude the marriage contract of his brother and my daughter, but when I told my daughter about this, she, her mother, and her brothers refused. Consequently, my son-in-law felt angry with us and abandoned us. After about two years, he came to me and again asked me to marry my daughter to his brother because the latter insisted. I agreed to do so, but when I told my daughter about this and assured her that I will marry her to this man, she refused decisively. This made me divorce her mother and I gave my daughter two options: either to marry this person or to discontinue her academic education and sit at home, as she was studying in the university. She chose to sit at home and, thus, I took her out of the university. However, she told me that even if I married her by force to this man, she would never agree to stay with him or take him as a husband.

Please advise me! May Allah reward you best! Is it my right to force her to marry and conclude the marriage contract without her consent? I would also like to ask about the consent I gave to this man, and about divorcing her mother, for I am very confused! I ask Allah (Exalted be He) to grant us success and guide us to that which pleases Him.

A: First, it is Haram (prohibited) to force a daughter to marry a person whom she does not approve of, for the Prophet (peace be upon him) prohibited to give a virgin in marriage except after taking her permission. **Second,** if your intention was to swear to divorce your wife, you should make Kaffarah (expiation) for the divorce oath that you took to force your daughter to marry this man. This Kaffarah is either to feed ten needy persons

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half a Sa` (1 Sa` = 2.172 kg), per person, of local staple foodstuff, to clothe ten needy persons, or to emancipate a believing slave. If you are unable to do any of these, you should observe Sawm (Fast) for three days. However, if your intention was to divorce her, you should clarify your intention along with the words you said, so that we can investigate this matter and benefit you in sha'a Allah (if Allah wills). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 11597

Q 2: i was a guest at my grandmother's house where i met a young girl who kept joking with me. i loved her but she is older than me as she is nineteen and i am fifteen. Am i permitted to marry her? Kindly tell me. May Allah reward you best! Thanks to Allah, I am a religiously committed young man. However, I still feel passion for this girl. I fear that my love for her may affect my life.

A: If this girl is religiously committed and decent, you are permitted to marry her provided that the necessary conditions of marriage are fulfilled and there is no impediment to the marriage. Your talking with each other and love of each other has nothing to do with the validity of the marriage.

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Fatwa no. 16615

Q: One of my Muslim friends requested me to ask you a question on his behalf. The matter is that my concerned friend's father wants to marry him to his cousin even though my friend has no desire to marry her because he does not love her. Four years have passed since the marriage has been proposed. Whenever she gets another proposal for marriage, her father gently does not approve of it saying that his daughter's cousin has proposed to her and she is going to marry him. My concerned friend asks as whether he will be considered a sinner if he withdraws his proposal after such a long period of time. It is worth mentioning that my friend fears the marriage failing if he marries his cousin despite he does not love her.

A: If your friend does not want to marry his cousin, he has to inform his uncle of this in a nice manner. He should not leave his cousin hanging (i.e. neither married to him nor to another person). He has to fear Allah regarding all his affairs. May Allah guide him to the best and make his affairs easy for him. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question of Fatwa no. 20685

Q 1: i am dutiful to my parents in all that pleases Allah. They ordered me to marry a girl whom i do not like as she does not abide by Islamic manners. However, they insisted on it, which caused me to marry her unwillingly. After marriage, she was struck by a satanic touch, may Allah safeguard you against all harms, and Allah then cured her. Anyway, I still hate her for her bad treatment and evil conduct. I tried to love her in order to be dutiful to my parents but it was in vain. Actually, I want about to divorce her but I am afraid that my father will be angry with me. Answer me, may Allah reward you good!

A: If you dislike the woman inherently and for her bad conduct, you may divorce her even if your father does not approve of it. In fact, it is not for them to force you to live with her when you dislike her. The Prophet (peace be upon him) said, (Submission is obligatory only in what is good (and reasonable).) Moreover, in such a case, marriage objectives are not materialized. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question of Fatwa no. 19049

Q 1: Someone contracted the marriage of his son without seeking his permission or consent. In fact, the son told his father that he does not like the girl

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but the father, nevertheless, contracted the marriage. To be annulled, does the contract need the pronunciation of divorce? Or, is it essentially null and void?

A: a marriage contract concluded by a father to his son on a woman the son does not like is null and void. This marriage contract lacks one of the validity conditions, i.e. mutual consent of both parties. Moreover, one of the pillars of marriage, i.e. acceptance of the husband (son), is missing. Accordingly, no marriage has been contracted and thus there is no room for divorce. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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3. Waliy

Fatwa no. 1623

Q: What is the story of Zayd ibn Harithah regarding his marriage to Zaynab whom the Prophet (peace be upon him) later married? How did the marriage begin and how did it end? We are told by some Westerners that the Prophet (peace be upon him) fell in love with Zaynab and other claims that I cannot quote. Please, answer me.

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A: Zayd was the son of Harithah ibn Shurahil Al-Kalby, the freed slave of the Messenger of Allah (peace be upon him), whom the Prophet manumitted and adopted, so he was known as Zayd ibn Muhammad until Allah revealed the Ayah (Qur'anic verse) that reads, ﴾Call them (adopted sons) by (the names of) their fathers﴿ Therefore, he was then called Zayd ibn Harithah. As for Zaynab, she was the daughter of Jahsh ibn Rabab Al-Asadiyyah. Her mother was Umaymah bint `Abdul-Muttalib the paternal aunt of the Messenger of Allah (peace be upon him). As for the story of the marriage of Zayd to Zaynab, the Messenger of Allah (peace be upon him) is the one who arranged it for him, because he was his freed-slave and adopted son. Thus, he approached her on behalf of Zayd but she refused and said: I am of a better lineage than he is. It was narrated that Allah in this regard revealed his saying, ﴾It is not for a believer, man or woman, when Allâh and His Messenger have decreed a matter that they should have any option in their decision. And whoever disobeys Allâh and His Messenger, he has indeed strayed into a plain error.﴿ Therefore, she responded in obedience to Allah and to fulfill the wish of the Messenger of Allah (peace be upon him). She lived with Zayd for nearly a year. Thereafter, there arose between them the kinds of problems that may arise between a husband and a wife, and Zayd complained about her to the Messenger of Allah (peace be upon him), because of their position in relation to him, him being his freed slave and adopted son, and Zaynab being the daughter of his paternal aunt Umaymah. In fact, Zayd showed his wish to divorce her, but the Prophet (peace be upon him) told him to keep her and be patient, even though he (peace be upon him) had known through a revelation from Allah that he would divorce her and she would become the Prophet's wife.

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However, he was afraid that the people would criticize him for marrying his son's ex-wife, as it was forbidden during the Jahiliyyah (pre-Islamic time of ignorance). Allah thus rebuked His Prophet for it in the Ayah that reads, ﴾And (remember) when you said to him (Zaid bin Hârithah رضي الله عنه - the freed-slave of the Prophet صلى الله عليه وسلم) on whom Allâh has bestowed Grace (by guiding him to Islâm) and you (O Muhammad صلى الله عليه وسلم too) have done favour (by manumitting him): "Keep your wife to yourself, and fear Allâh." But you did hide in yourself (i.e. what Allâh has already made known to you that He will give her to you in marriage) that which Allâh will make manifest, you did fear the people (i.e., their saying that Muhammad صلى الله عليه وسلم married the divorced wife of his manumitted slave) whereas Allâh had a better right that you should fear Him.﴿ The Ayah

means - and Allah knows best - you hide in yourself that which Allah have told you, i.e. that Zayd would divorce his wife Zaynab and that you would marry her, in achievement of Allah's command, and in fulfillment of His wisdom. Nevertheless, you feared people's comments and criticism of you for doing so, while Allah more deserves to be feared. Accordingly, you have to announce what He has revealed to you regarding your situation and that of Zayd and his wife Zaynab without worrying about what the people would say or how they would criticize you. With regard to the Prophet's marriage to Zaynab, the Prophet (peace be upon him) proposed to her after her `Iddah (waiting period) was over following her divorce from Zayd. Allah then gave her to him in marriage without any Waliy (a legally accountable person acting for a woman seeking marriage) or witnesses, because he (peace be upon him) is the Waliy of all believers, and is closer to them than their own selves. Allah (Exalted be He) said, ﴾The Prophet is closer to the believers than their ownselves﴿ Thus, Allah abolished the Jahiliyyah-based custom of adoption, and made it permissible for Muslims to marry the wives of adopted sons after they get separated from each other by death or divorce, as a mercy from Him towards the believers and so as to ward off

hardship. As for the reports which say that the Prophet (peace be upon him) saw Zaynab from behind a screen, was attracted to her and fell in deep love with her, and on knowing this, Zayd began to dislike her and out of love to give precedence to the Prophet (peace be upon him) over himself divorced her so that he might marry her after him, they were reported through no sound Sanad (chain of narrators). Prophets are of the highest status, very chaste, of noble character and are honorable in attitude to do such a thing. Moreover, it is the Prophet (peace be upon him) who arranged her marriage to Zayd (may Allah be pleased with him). Moreover, she was the daughter of his paternal aunt, to whom if he had been attracted, he would have kept her for himself in the first place, especially since she was reluctant to marry Zayd and did not agree to it until the Ayah was revealed. Undoubtedly, it was the Divine Decree arranged to abolish Jahiliyyah-based customs, to show mercy to people and to make things easier for them. In this regard, Allah (Exalted be He) said, ﴾So when Zaid had accomplished his desire from her (i.e. divorced her), We gave her to you in marriage, so that (in future) there may be no difficulty to the believers in respect of (the marriage of) the wives of their adopted sons when the latter have no desire to keep them (i.e. they have divorced them). And Allâh's Command must be fulfilled﴿ ﴾ There is no blame on the Prophet (صلى الله عليه وسلم) in that which Allâh has made legal for him. That has been Allâh's Way with those who have passed away of (the Prophets of) old. And the Command of Allâh is a decree determined.﴿ ﴾Those who convey the Message of Allâh and fear Him, and fear none save Allâh. And Sufficient is Allâh as a Reckoner.﴿ ﴾Muhammad (صلى الله عليه وسلم) is not the father of any of your men, but he is the Messenger of Allâh and the last (end) of the Prophets. And Allâh is Ever All-Aware of everything.﴿

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question of Fatwa no. 1273

Q 1: is it permissible for a woman to marry without a Waliy (a legally accountable person acting for a woman seeking marriage)?

A: One of the conditions of the validity of marriage is the existence of a Waliy. A woman is not permitted to marry without permission from her Waliy. If she gets married without permission from her Waliy, her marriage will be invalid. Abu Musa reported that the Prophet (peace be upon him) said, ("There is no marriage without the permission of a Waliy.") Sulayman ibn Musa reported from Al-Zuhry from `Urwah from `Aishah that the Prophet (peace be upon him)

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said, (Any woman who gets married without the consent of her Waliy, her marriage contract is void. If the husband consummates the marriage, then she deserve the dower by virtue of the sexual intercourse that became lawful for him. If there is any conflict, then the ruler is the Waliy for whoever has no Waliy.) This Hadith was reported by Imams Ahmad, Abu Dawud, Al-Tirmidhy and Ibn Majah. A similar Hadith was reported by Abu Dawud Al-Tayalisy. The wording of this Hadith is, (There is no marriage without the permission of a Waliy. Any woman who gets married without the consent of her Waliy, her marriage contract is void, and the ruler is the Waliy for a person who has no Waliy.)

Imam Ibn Al-Mundhir (may Allah be merciful with him) said, "It is not known that any of the Companions of the Prophet (peace be upon him) held a view that contradicts this."

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Fatwa no. 1390

Q: A woman has reached the age of marriage, but she has no Waliy (a legally accountable person acting for a woman seeking marriage) and there is no judge in her town to act for her in marriage. She asks whether the Amir (administrative governor) can be in place of the judge and act for her in marriage.

A: the most worthy person to act as a woman's Waliy in marriage is her father, then her paternal grandfather, and great grandfather and so on, then her son, her grandson, and her great grandson and so on, then her full brother, her brother through her father, then whoever is more closely related from among the agnates, as is the case with inheritance. If none of these is available, then the Muslim ruler should be her Waliy and the legal governor should act on his behalf. The Amir only acts on behalf of the Muslim ruler in administrative affairs and in carrying out court judgments. Accordingly, the Amir cannot be the Waliy for any woman who does not have a Waliy of her own. If she has no Waliy from among her relatives, the judge should be her Waliy and there is no town that does not have judges. Thus, he would be the judge of the town where she lives or of another town to which her town is affiliated judicially.

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The second question of Fatwa no. 18678

Q 2: A woman named Ruqayyah asks a question about the Waliy (a legally accountable person acting for a woman seeking marriage). She says: I am a virgin and my father never cared about my Nafaqah (obligatory financial support). It is my paternal uncle who supported me financially from birth until I became of age. He also paid my school expenses and he is still supporting me. As I am about to get married, both my father and my paternal uncle dispute over which of them is more entitled to be my Waliy. My mother too used to give me Nafaqah. Is the one who undertakes my Nafaqah more entitled to be my Waliy? I hope Your Eminence will clarify the matter. May Allah reward you best!

A: the father of a woman is more entitled than any other person to be her Waliy. If the father is absent or dead, the Waliy will be the person whom he nominates as his proxy. If he does not nominate anyone, the grandfather will be entitled to that right, then the nearest agnate and so on as is the case with inheritance. The father's right to be the Waliy of his daughter is not denied on account of not caring to give her Nafaqah.

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Fatwa no. 1355

A: Who is more entitled to be a woman's Waliy (a legally accountable person acting for a woman seeking marriage) in marriage if she has no father or grandfather, but she only has a brother and a half-brother?

A: If the situation is as you mentioned, that the woman has neither a father nor a grandfather, and that she has a brother and a half-brother, then her brother is more entitled to be her Waliy than her half-brother, if he has the legal capacity to be so, since he is nearer to her. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 14054

Q 2: i have an elder sister to whom a suitor had proposed. At that time, we were orphans, and we had paternal uncles who lived an eight-day journey by camel from us. My mother sent a message to them to come and conclude her marriage contract, but they refused.

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My sister also refused to go to the court without a Waliy (a legally accountable person acting for a woman seeking marriage). My maternal uncles, thus, sent me to the Ma'dhun (marriage registrant), and my sister authorized me to act as her Waliy. The Ma'dhun asked me whether I had reached puberty, and I said yes, even though I had not. Is the marriage contract valid? I heard that what I did is impermissible. My sister is now fifty years old; and she has ten children. Are these children born legitimately? Is it permissible to conclude the marriage contract again? She has reached the age of menopause, and we are terribly worried concerning this. Please advise. May Allah reward you best!

A: The marriage contract is valid, and the children are related to their father if the contract was concluded when you were fifteen years old, when you had experienced sexual dreams, or when you started to have coarse pubic hair. One of these signs is enough to prove having reached puberty. If none of these signs existed at that time, the contract should be renewed, and the children are related to their father because it was assumed that they were married. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 17529

Q 2: There is a young man who is aged fourteen years old and he studies in the secondary stage. He is sensible and well-behaved, but he has not reached the age of puberty yet. He has a sister and someone proposed to her, but she has no Waliy (a legally accountable person acting for a woman seeking marriage) except this young man; because all the members of her family died and they have no agnates. He would like to be the Waliy of his sister in concluding the marriage contract. Is he permitted to do this? He wants to know that legal ruling on this issue.

A: the Waliy of a woman in concluding the marriage contract has to be a Mukallaf (person meeting the conditions to be held legally accountable for their actions) and Rashid (rational). Otherwise, the judge will act as her Waliy because the Muslim ruler is the Waliy of those who have no Waliy and in turn a judge can represent the ruler. The person is considered Mukallaf when he reaches the age of puberty by ejaculating Maniy (sperms that are released on orgasm) with desire, whether in sexual dreams or otherwise, by having coarse pubic hair, or by reaching the age of fifteen. A person is considered Rashid when he is well-behaved and so is able to choose a suitable match for the woman in his charge. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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(Part No. 18; Page No. 148)

The sixth question of Fatwa no. 14594

Q 6: a person wants to marry an orphaned girl. She has no parents or brothers. She only has a cousin who is the husband of her sister. She also has some nephews and distant cousins. Who should act as her Waliy (a legally accountable person acting for a woman seeking marriage) in concluding her marriage contract? Her uncle, her sister's father-in-law, used to act as their Waliy before he died; and she now has no one but her cousin. She also has a half-brother from her mother's side, but he does not visit them often and lives far away.

A: If she does not have relatives other than those you mentioned, the person who is most entitled to act as her Waliy is her cousin, whether his father was a full or a half-brother to her father; because he is the closest agnate. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 12984

Q: I have two maternal half-sisters whose father died when they were young. until they married, they were under the care of their cousin whose father died before the death of my sisters' father. He regards himself as their lawful Waliy (a legal guardian representing the bride)

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because of his degree of kinship. One of the two sisters, after getting divorced, stayed in my house for seven years. When her ex-husband wanted to remarry her, her cousin, with her consent, mediated their reconciliation. My question is: What is the ruling on the cousin acting as Waliy and the sisters taking off the Hijab (veil) in his presence?

A: If the case is as you have mentioned, that there is no closer blood relative to your half-sisters than their cousin, he is regarded as their Waliy. However, he is not Mahram (unmarriageable relative) for them, and consequently, they are not allowed to take off Hijab in his presence. As for you, you are a Mahram for them and will be rewarded greatly for your kind treatment to them. You are not allowed to act as their Waliy as you are one of their kinsmen and not an agnate relative to them. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 4883

Q: My mother and her neighbor lived in one of the furthest villages in the south. My mother gave birth to a baby boy; my neighbor and I gave birth to a baby girl. We grew up believing that we are milk brother and sister

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as was inculcated by our mothers. I do not know exactly if one of them used to breastfeed and take care of us when the other went to bring water or firewood. We grew up holding this view. My mother was endowed with boys and girls after me, as was our neighbor. My father died as did the father of this girl. Her brother shouldered the responsibly of his family. He waived his responsibilities to me due to his special circumstances. He has legally deputized me according to a document issued by notary public to be a Waliy (a legally accountable person acting for a woman seeking marriage) for any of his daughters who want to marry including his elder sister who is said to be my milk sister. I married her to someone and I also married the second and third girl to those who proposed to marry them. But the third girl had some troubles with her husband. I had to support her as a deputy for her Waliy. During her differences with her husband, my mother told me that I am not really a foster brother for the eldest one of those daughters. I behaved as if I paid her no attention. I went to our neighbor and asked her about what I had heard from my mother. She assured me that I am a milk brother for her eldest daughter. I do not know if our mothers inculcated in our heads the idea of breastfeeding in order not to cause any harm to each other during our childhood or not.

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The case now is that one of them confirms that we are milk brothers and sisters while the other denies it.

Is my conduct, i.e. marrying those young women to their husbands, is legally valid? Are those young women considered to be my milk sisters? Moreover, there is no blood relationship between my mother and theirs or between their father and ours. Answer my question! May Allah reward you well!

A: If the reality is as you have mentioned, shouldering the responsibility of marrying those young women to those who proposed to marry them is valid because you are a legal deputy for their brother who is their legal Waliy, whether you are their foster brother or not. As for being a foster brother for those girls, if their mother is a just woman and assures you that she breastfeeds you five satisfying times, she will be considered your milk mother and her children will be your foster brothers and sisters. Your mother's negation of this breastfeeding will not be taken into consideration. This is because the saying of a person who confirms takes precedence over the saying of a person who negates. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question of Fatwa no. 3567

Q 1: is it permissible to marry a woman living in a foreign country without her Waliy (a legal guardian representing the bride)?

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Is the contract valid if the Ma'dhun (marriage registrant) concludes the contract upon her request? If she does not have a father, brother or parental uncle, who is to be her Waliy?

A: The woman who has no Waliy, or has one but is not available by any means, is to be given in marriage by the Ruler or his deputy, the judge. In this way, the contract would be valid. May Allah grant us success! May peace and blessings be upon our Prophet, his family and Companions.

The Permanent Committee for Scholarly Research and Ifta'

Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 9632

Q 1: who is the waliy (a legal guardian representing the bride) of a half-sister, the brother or the maternal uncle? Is it permissible for her mother to give her in marriage without the knowledge of her brother?

A: If the case is as you have mentioned, her Waliy will be her paternal brother. Her mother is not permitted to act as her Waliy in marriage. As for the maternal uncle, he is not Waliy as he is not an paternal relative.

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May Allah grant us success! May peace and blessings be upon our Prophet, his family and Companions.

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Fatwa no. 12725

Q: my father died sixteen years ago, and left many daughters and a son from another wife. All the heirs have authorized me as a Wakil (legally accountable person who acts on behalf of another for a specific permissible matter) and a guardian for them through a Wakalah (appointment of a legally accountable person to act on behalf of another for a specific permissible matter) issued by the court. I brought them up and took care of them. When one of the girls reached the age of marriage, a religious and well-mannered suitor proposed to her. I concluded the marriage contract by force of the Wakalah that I have, because her full brother did not have a personal ID card at that time; as he was fifteen years old. The contract was concluded after the approval of all parties: her, her brother, and her mother, and the attendance of all the family. Now I would like to know if the marriage contract is valid or not, given that my sister bore children from her husband. Please advise. May Allah reward you best! With many thanks.

A: If the reality is as you mentioned, the marriage contract is valid.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Deputy Chairman	Chairman
`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa no. 958

Q 2: a man has good religious knowledge and is a Ma'dhun (marriage registrant). He lives in the desert and wants to get married. Is it permissible for him to conclude the marriage contract by himself? Could you kindly substantiate your answer with evidence?

A: Yes, it is permissible for him to conclude the marriage by himself with the woman's Waliy (a legally accountable person acting for a woman seeking marriage). The Waliy may give her in marriage to him taking into consideration that the other conditions of marriage are also met. This is because one may conclude his marriage contract with his would-be wife even if he is not a Ma'dhun, according to the Ijma` (consensus of scholars), as long as he has the prerequisites to carry out this task. Being a Ma'dhun appointed by the ruler to conclude marriage contracts gives him more power and credibility. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Sulayman Ibn Mani`	`Abdullah ibn `Abdul-Rahman ibn Ghudayyan	`Abdul-Razzaq `Afify

Fatwa no. 5734

Q: 1. a man desires to marry a woman to whom he is the Waliy (a legally accountable person acting for a woman seeking marriage) i.e. he is her cousin who has the right of offering and acceptance; is it permissible for him to undertake this or does the bride have to have another Waliy amongst her available `Asabat (relatives in whose line of relationship no female enters)? 2. Is it permissible for a Ma'dhun (marriage registrant) to undertake the conclusion of his own contract of marriage? Can he be trusted regarding recording the conditions which are agreed upon between him and the bride and her Waliy if two just witnesses are present? What is the ruling if a dispute arises amongst them regarding such conditions?

A: 1. It is permissible for the Waliy of a woman, for instance her cousin, to assume offering and acceptance that the marriage contract involves. It is impermissible for the bride to assign another Waliy amongst her `Asabat to assume the acceptance. However, it is permissible for the concerned Waliy to authorize someone to do the offering on his behalf while he himself assumes the acceptance. **2.** It is permissible for a Ma'dhun to conclude his own contract of marriage. Moreover, he is permitted to administer the Shar`y (Islamically legal) conditions that the two sides agree upon. He is to read such conditions for the bride, her Waliy, and the two just witnesses. If they agree on them; they all have to sign a paper to that effect. If a dispute then arises, it is to be referred to the court.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 1007

Q: The father of a girl has been out of the country for more than ten years. he entrusted his son to sign her marriage contract. This son was officially entrusted by the father to be the Wakil (legally accountable person who acts on behalf of another for a specific permissible matter). Now, is this Wakalah (appointment of a legally accountable person to act on behalf of another for a specific permissible matter) valid? Is it permissible for the judge to interfere with the marriage procedures, even in the presence of this Wakalah?

A: Judging whether this Wakalah is valid or not is determined by the legal courts. As such, if it is proven by the judge that the daughter's father made his son a Wakil for him as mentioned in the question and the judge validates the Wakalah, then this Wakil is entitled to sign the marriage contract and there is no need for the judge. However, if this is not proven or is so but the judge invalidates the Wakalah, or it is proven to the judge that the Wakil is preventing the woman from marrying, then the ruler may undertake the duty of signing the marriage contract by himself or he may nominate any person having the legal capacity to do so. This is based on the following Hadith in which the Prophet (peace be upon him) said: ("A Sultan is to act as the Waliy of the one who has no Waliy.") (Related by Abu Dawud)

The Sultan here refers to the ruler of a Muslim country, a governor, or a person they nominate to act on their behalf. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 19479

Q 2: Some Muslim women immigrated to Canada in the aftermath of the destruction that befell their countries due to wars and poverty. These women have no Mahram (spouse or unmarriageable relative). Also, their Waliy (legal guardian representing the bride) is very far from them, and sometimes, their whereabouts are unknown and cannot be contacted. These women want to marry lawfully, does the Hadith of the Prophet (peace be upon him) (the Sultan (man in authority) is the guardian of one who has none) **apply to them, or what should they do?**

A: The basic principle is that the Waliy is the father, then the agnate relative, in nearest descending order. If they are not present, or are not eligible to be Waliy, for any reason, or abstain wrongfully, then the Muslim ruler or his deputy is the Waliy. If there is no Muslim ruler or judge, the head of the Islamic center will be the Waliy in this case. Allah (Exalted be He), states,

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(The believers, men and women, are Auliyâ' (helpers, supporters, friends, protectors) of one another) , (So keep your duty to Allâh and fear Him as much as you can) May Allah grant us success! May peace and blessings be upon our Prophet, his family and Companions.

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Fatwa no. 19445

Q: There was a girl born in the kingdom of Saudi Arabia from a Saudi mother and an unknown father as a result of Zina (premarital sexual intercourse and/or adultery). A charitable person raised her, and he added her to his identity card as if she were his daughter. When she reached the legal age, he gave her in marriage to someone. He took her Mahr (mandatory gift to a bride from her groom), and - acting as her Waliy (a legally accountable person acting for a woman seeking marriage) - he signed the marriage contract with her groom. It should be mentioned that this person is not a relative of the bride's mother. Is this contract valid or Batil (null and void)? If she has children, will they be legitimate? I hope that you will provide me with a Fatwa (legal opinion issued by a qualified Muslim scholar) in this regard! May Allah safeguard you!

A: The contract should be renewed by the religious judge, for the person who raised this young woman is a charitable person who is to be rewarded for his act, but he is not her Waliy. He should also

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remove her name from his identity card, for she is not his real daughter. Any children born to her before the renewal of her marriage contract shall be related to their parents, since it was assumed that they have entered into a doubtful marriage. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 11365

Q 2: i adopted a girl. When she became of age, i wanted to marry her to one of my sons. is this Haram (prohibited) or Halal (lawful)?

A: It is impermissible in Islam to adopt a child; children must be related to their fathers. This is because Allah (Exalted be He) says: ﴾Call them (adopted sons) by (the names of) their fathers: that is more just with Allâh. But if you know not their father's (names, call them) your brothers in faith﴿ As for your desire to marry your son to this girl, this is permissible if there is no impediment, such as breastfeeding that affects marriageability. You should also fulfill all the essential elements required in a marriage contract, which include: a Waliy (a legally accountable person acting for a woman seeking marriage), two just witnesses, and the bride's approval. Her Waliy in this case is the ruler of the country

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or a person who acts on his behalf. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 17590

Q: Your Eminence, there is a Laqit (foundling child) who was adopted by a man and registered in his name. A person proposed to this girl and the adoptive father was her Waliy (a legally accountable person acting for a woman seeking marriage) in concluding the marriage contract. 1. Is this contract valid and why? 2. If the contract is invalid, what should we do? How could we correct the contract? 3. It is said that the wife of this man breast-fed this girl taking into account that he is barren; will it be permissible for him to be her Waliy in concluding the marriage contract because he is her foster-father?

Could you kindly advise!

A: First, it is not permissible for the person who adopted a little girl and his wife breast-fed her to be her Waliy in concluding her marriage contract, because he is not one of her guardians. Her Waliy in this case is

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the Muslim ruler or his deputy. Therefore, the contract must be renewed under the supervision of the ruler. **Second,** it is not permissible for a person who adopts a Laqit to ascribe them to himself, because Allah (Exalted be He) says: (Call them (adopted sons) by (the names of) their fathers: that is more just with Allâh.) Consequently, the person who adopted the girl must remove her name from his ID card and give her another name ascribed to Allah (Exalted be He), such as `Abdullah (the Servant of Allah) or `Abdul-Rahman (the servant of the Merciful); and the same will be applied to the name of her grandfather. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 11242

Q: a woman from the People of the Book desires to marry a Muslim. As her father expects her to embrace Islam after getting married to that Muslim man, he not only refuses to act as her Waliy (a legally accountable person acting for a woman seeking marriage) but also refuses that the marriage should take place. As she has not yet embraced Islam, who can act as her Waliy in this case? Kindly tell us the most preferable view in this regard.

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A: The father of a woman from the People of the Book should be her Waliy. If he is absent or is present but refuses to marry her to a Muslim person, her Waliy will be one of her next of kin. If there is none or there is but refuses to act as her Waliy, the Waliy will be a Muslim judge. If there is no Muslim judge, the head of the Islamic center will act as her Waliy. The basic rule concerning Wilayah (legal accountability to act for a woman seeking marriage) is that it has to be assigned to the father and then to the nearest of kin. If they are absent, or do not have the legal capacity to undertake this task for any reason, or refuse the marriage for any reason, then Wilayah is transferred to the Muslim ruler or to someone who acts on his behalf. Allah (Exalted be He) says: ﴾The believers, men and women, are Auliyâ' (helpers, supporters, friends, protectors) of one another﴿ It was narrated that the Prophet (peace be upon him) wanted to marry Um Habibah bint Abu Sufyan. Even though she was a Muslim, her father Abu Sufyan had not embraced Islam at that time. The Prophet (peace be upon him) appointed as his Wakil (legally accountable person who acts on behalf of another for a specific permissible matter) `Amr ibn Umayyah Al-Damry and her Muslim cousin Khalid ibn Sa`id ibn Al-`As acted as her Waliy. If the closest Waliy of a free woman refuses to marry her to someone whom she consents to marry, her next of kin may act as her Waliy. If she has no other agnates, the ruler will take on the role of the Waliy. This is based on the Hadith in which the Prophet (peace be upon him) said: ﴾"The Sultan (ruler) is the Waliy of the one who has no Waliy."﴿

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The twenty fifth question of Fatwa no. 12087

Q 25: who is the waliy (a legally accountable person acting for a woman seeking marriage) of a woman from the People of the Book?

A: Her Waliy is one of her agnate relatives, exactly as a Muslim woman. The nearest of these are her father, then her paternal grandfather, then her great-grandfather, then her son, then her grandsons, then her great-grandsons, where the nearest has the priority, and then comes the rest of the agnate relatives according to the order of inheritance. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 16010

Q: I would like to inform Your Eminence that a person named Hasan Al-Tahhan, a member in the Muslim Beneficent Society of Barretos, asked me to conclude the marriage of his daughter according to the Shari`ah (Islamic law) in the named city on 29 June, 1992. When I arrived at the city, I noticed that

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the father invited Brazilian officials and businessmen to the wedding. I also noticed that the bride was not Muslim because her mother was not and that the bridegroom was a non-Muslim Brazilian. I then knew that the marriage would be first concluded in the church by a monk, who had been summoned from outside the city for this purpose because of being related to the family. The marriage would be concluded for the second time by the judge of Barretos in the club - according to the Brazilian law - where the wedding ceremony would take place. I was asked to conclude the marriage for the third time according to the Shari`ah. I refrained from going into the marriage procedures and blamed the bride's father for inviting me to such an event. The father claimed that he was the only Muslim in the family and that he wanted to direct the attention of this large gathering to Islam. I told him that I would only make a speech in Portuguese about the virtues of Islam.

Indeed, I ascended the pulpit, held the microphone, and gave a speech about Tawhid (belief in the Oneness of Allah) and some of the conditions and aspects of marriage in Islam and offered advice to the couple. The speech was met with loud applause; as it is the custom of Brazilian people. It marked an Islamic event in the club. Some members of the Muslim Beneficent Society in the city were present during the speech, and they suggested concluding the marriage according to the Shari`ah. One of them asked if there was any impediment to this, saying:

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If a Muslim is asked by a Jew and a Christian to be their witness to a certain affair, is there any impediment to accepting their request? I thought of giving no answer until I had referred this question to Your Eminence. It is worth mentioning that the clubs in which wedding ceremonies are held serve Khamr (intoxicants) and unlawful food and give way to free intermixing of men and women, according to the prevailing customs in Brazil.

Your Eminence, in Brazil, Du`ah (callers to Islam) face similar incidents in which they are required to join in marriage a daughter of a Muslim father and a Brazilian mother who knows nothing about Islam to a Brazilian young man who has embraced Islam just a few days before his marriage. The Du`ah are asked to conclude the marriage according to the Shari`ah, bearing in mind that religious marriage in Brazil is not legally recognized, whether it is an Islamic marriage or not, according to the Brazilian law unless a specialized Brazilian judge concludes it. This means that a marriage concluded by a Da`y (caller to Islam) in Brazil gives no rights to the parties included in the contract except

after registering it in the Brazilian court, and the rights prescribed in Shari`ah are considered if they are admitted by the two parties.

I hope Your Eminence would answer me. As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

A: First, the bride is to be considered Muslim by what she believes in and embraces.

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She has nothing to do with the religion of her mother. Accordingly, if she believes in Islam, she would be Muslim, even if her mother is non-Muslim. Her Muslim father will be her Waliy (a legally accountable person acting for a woman seeking marriage). **Second,** if the daughter is non-Muslim and her father is Muslim, the latter is not to be her Waliy because one of the conditions of the validity of a marriage is that the religion of the Waliy should be the same as that of his charge. Hence, a non-Muslim cannot be the Waliy for a Muslim woman and vice versa. **Third,** a Muslim being a witness to the contracts of non-Muslims is a detailed issue. If their contracts are Batil (null and void), such as the contracts of Riba (usury) and marriage between Mahrams (unmarriageable relatives), it is not permissible for a Muslim to be a witness to them. If they are valid contracts, then there is no problem if a Muslim is the witness to a valid marriage contract as well as to other contracts. **Fourth,** if Khamr is served and free intermixing between the sexes takes place in clubs where non-Islamic wedding ceremonies are held, it is not permissible for Muslims to attend these ceremonies to be witnesses to non-Muslims' contracts, unless their attendance would stop these prohibited acts. **Fifth,** the fact that the bride's mother knows nothing about Islam does not serve as an impediment to the marriage between the bride - whose father is Muslim - and the Brazilian bridegroom who has embraced Islam. Even if the mother is Muslim

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but unobservant of the teachings of Islam or ignorant of its rulings or even if she is non-Muslim, this is not an impediment to the daughter's marriage. **Sixth,** if the marriage contract that is concluded according to the Shari`ah is not legally recognized and does not lead to any rights except after registering it in a court that does not follow the Shari`ah, this does not affect the validity of the marriage. There is nothing wrong in registering a marriage in such a court, as these are all systematic affairs. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 8120

Q: During my work in an Arab country and according to the conditions of work, I became acquainted with an Egyptian girl. It was her religious commitment that drew my attention to her. Subsequently, we established an honorable relationship. In order to avoid Satan's influence and falling into sin, we concluded an `Urfy marriage (without an official contract). At that time, there were no witnesses to the contract, but we told our friends later on that we got married. The contract was in writing and each of us gave a verbal consent to the other. She wrote a document stating that she granted herself to me and prohibited herself from any other man.

When we went back home to

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Egypt, I went to her family to formalize the contract according to our traditions. However, to our surprise, her family disapproved of our marriage. More than one person proposed to her and she refused them. Now we are very disturbed. Is this marriage valid or not? Is there any solution to our problem, in order to return to each other, given that I left her in Egypt and returned to my work abroad. I fear that I might have done her an injustice. I hope that your Honor would kindly answer me in order to help both of us preserve our religion.

A: If the case is as you have mentioned, your marriage contract is not Shar`y (Islamically lawful) for it lacks Waliy (a legal guardian representing the bride) and witnesses. The intimate relations you had as husband and wife take the ruling of Zina (premarital sexual intercourse and/or fornication). You must repent and not to repeat this again. May Allah grant us success! May peace and blessings be upon our Prophet, his family and Companions.

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The first question of Fatwa no. 5431

Q 1: There is a woman who wants to give up her university studies and marry the person who is keen on marrying her. However, this marriage is going to be concluded without the consent of her

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Waliy (a legally accountable person acting for a woman seeking marriage), because there is no way he would accept that suitor's proposal before she finishes her study. She can also continue her study, and ask that man to wait for her, even though he can afford marriage now. Otherwise, she has the option of continuing her studies, refusing that suitor, and accepting the proposal of another man whose conditions are more suitable for her.

A: marriage is invalid without a Waliy, as it leads to great evils. It was authentically reported that the Prophet (peace be upon him) said: ("There is no marriage without the permission of a Waliy.") Asking the suitor to wait until the girl finishes her studies is something that depends on their agreement. It is better for them to hasten to conclude the marriage contract as long as they can afford to do so. This is because the Prophet (peace be upon him) said: ("O young people! Whoever among you is able to marry should do so, for marriage would help him lower his gaze and keep his virtue. Whoever is not able to marry is recommended to observe Sawm (Fast), for Sawm would alleviate his sexual desire.") A girl should obey her parents in matters that are good. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The sixth question of Fatwa no. 9643

Q 6: What is the Islamic ruling on a man and a woman getting married without having their marriage legally documented

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and without the presence of the woman's Waliy (a legally accountable person acting for a woman seeking marriage)? Such marriages are concluded by the man saying to the woman, "I offer myself in marriage to you" and she replies by saying, "And I too offer myself in marriage to you". Is that type of marriage permissible?

A: This marriage is Batil (null and void) until the Waliy undertakes the marriage contract of his charge and until all the conditions of marriage are fulfilled as explained in the books of scholars. It is not sufficient for the conclusion of a marriage contract that a woman offers herself in marriage to someone who accepts her offer. Documenting the marriage is not a condition for its validity inasmuch as it serves as a means of protecting the rights of the couple and referring to it when necessary. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 10589

Q: I am a twenty-two-year-old man. I love my maternal cousin so I proposed to her and her father (may Allah be merciful with him) agreed. We got engaged and invited many people to our engagement party. After that I was assigned to military service and my uncle died (may Allah be merciful with him).

Her mother wants to conclude our marriage contract quickly. We have been engaged for three years now and I have a year left to finish my military service and I have no money. She has another cousin who is very rich and he proposed to her. He wants to marry her without charging her family with any marriage expenses and he will pay an excessive Mahr (mandatory gift to a bride from her groom). My fiancée refuses to marry or even meet him. Therefore, we wrote a paper similar to the marriage contract in the presence of two of my friends who are of age and of sound mind and the four of us signed this paper. I love my fiancée and believe that she is suitable for me more than anyone else. It is worth mentioning that I kissed and embraced her. Is what we have done Haram (prohibited)? What is the ruling on it? May Allah reward you greatly on behalf of all Muslims!

Is she considered my wife? Please advise me for I am confused and I fear that I have done something wrong. It is worthy to mention that no one knows this matter except the two witnesses and both of us. I did not approach her as my wife. There are only two copies of our marriage contract with us and we have done this so that she would not marry another person. Please advise.

A: First, the contract which was concluded in the presence of the two witnesses and the bride,

without the presence of her Waliy (a legally accountable person acting for a woman seeking marriage), is not valid. this is because the presence of a Waliy is a condition for a valid marriage contract. You can renew the contract in the presence of her Waliy and two witnesses. **Second,** it is not permissible for you to be alone with your fiancée or to kiss or touch her because before concluding a valid marriage contract, she is considered a non-Mahram (not a spouse or an unmarriageable relative). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 15021

Q: I am a young man who proposed to a girl whose father died shortly before the date appointed for the conclusion of the marriage contract. Circumstances willed that I later joined the troops that would go for the liberation of Kuwait. However, before traveling I visited my fiancée at her family's home in the presence of her mother, elder sister, and brother-in-law. I asked my fiancée a question, "Do you agree to marry me?" My intention was to marry her in the Shar`y (Islamic legal) way. I thus offered and she accepted. Her brother-in-law, mother, and elder sister witnessed this. Moreover, a teacher was sitting in the next room teaching my fiancée's nephew and I said to him, "Do you bear witness that so and so is my wife?" Thereupon he said, "Yes, I bear witness to this."

My question is whether the contract of my marriage was concluded by doing what I have mentioned above? Were all the Shar`y conditions of such a contract met i.e. offer and acceptance and the existence of two just witnesses?

A: If the matter is exactly as what is mentioned in the question, your marriage is invalid because of the non-existence of the Waliy (a legally accountable person acting for a woman seeking marriage). The foregoing is supported by a Hadith which is narrated by Abu Burdah ibn Abu Musa on the authority of his father who said that the Messenger of Allah (peace be upon him) said, ❨no marriage [is valid] without a Waliy.❩ (Related by Ahmad and the Four Compilers of Hadith 'Imams Abu Dawud, Al-Tirmidhy, Al-Nasa'y and Ibn Majah' and graded as Sahih 'authentic' by Al-Tirmidhy and Ibn Al-Madiny). Besides, it is narrated by `Urwah on the authority of `Aishah (may Allah be pleased with her) who said: The Messenger of Allah (peace be upon him) said, ❨Any woman who gets married without the permission of her Waliy, her marriage contract is null and void.❩ (Related by Al-Tirmidhy who commented: 'It is a Hadith Hasan 'good Hadith'.) Ibn Kathir commented on the same Hadith: "It is ranked as Sahih 'authentic' by Yahya ibn Ma`in and other Hadith scholars. On the other hand, you said in your question, "circumstances willed," which is an inappropriate expression. You should rather say "Allah willed;" for circumstances do not have any will. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 13627

Q: is it permissible for a stepfather to be a Waliy (a legally accountable person acting for a woman seeking marriage) for his stepdaughter? Does he take precedence over her

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maternal uncle in this regard? We do not know anything about the father of this girl. He is far away from the city and does not visit his daughter. We would like you to point out the whole issue for us. May Allah reward you well!

A: The stepfather is not a Waliy for his stepdaughter with regard to marriage; same is the case with her maternal uncle. Women's Waliys for marriage are their consanguineous relatives. The nearest one of them to her will be her Waliy. The first one is her father, then her grandfather, her son, her full brother, her half brother, etc. They should be arranged according to this order. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question of Fatwa no. 19627

Q 1: Sometimes, it happens that a person acts as the Waliy (a legally accountable person acting for a woman seeking marriage) of his sister in concluding her marriage contract in the presence of her father or grandfather. This is done based on the authorization and consent of the father. What is the ruling on this contract that is concluded by a more distant Waliy in the presence and with the consent of the closest Waliy?

A: If a more distant Waliy concludes the marriage contract of the woman in the presence of the closest Waliy without a legal excuse or a will made by the closest Waliy, this contract will be Batil (null and void). The marriage will be invalid in this case because he has no authority over the woman in the presence of her closest Waliy. However, the closest Waliy has the right to

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abdicate Wilayah (legal accountability to act for a woman seeking marriage) to the next Waliy or authorize another competent Waliy to conclude the marriage. In this case, the contract and the marriage will be valid because he abdicates his right to the person whom he authorizes, so he takes his entire rights. Accordingly, it is permissible for a brother to conclude the contract of his sister if the closest Waliy authorizes him to do so. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 1785

Q: is it permissible for a boy who is over ten and under fifteen years old to contract his own marriage? Or should his father arrange the marriage contract on his behalf?

A: It is permissible for a father to contract a marriage for his son who has not reached puberty. The father himself writes the marriage contract on behalf of his son. As for the pubescent boy, he may do it himself or appoint someone, be it his father or someone else, to arrange this contract. The signs of puberty include reaching the age of fifteen, growth of pubic hair and emission of semen, whether it occurs during wet dreams or otherwise.

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Fatwa no. 11250

Q: is it permissible for a father to act on behalf of his son in concluding the latter's marriage contract, if both couple agree and two witnesses testify to this?

A: It is permissible for a father to conclude the marriage contract on behalf of his son if the latter - who has to be of age - entrusts him to be the Wakil (legally accountable person who acts on behalf of another for a specific permissible matter). The marriage contract is valid if it fulfills all the required conditions and essential elements and has no impediments. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 1113

Q 2: is a marriage contract registered by an English marriage official in the presence of one Muslim witness and another witness who follows the religion of the bride considered to be a legally valid contract according to

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the opinion of Islam?

A: It was authentically reported that the marriage contract of a Muslim man and a Muslim woman will not be valid except with the existence of a Waliy and two just witnesses. The Prophet (peace be upon him) said, ﴾There is no [valid] marriage except in the presence of a Waliy and two just witnesses.﴿ (Related by Al-Daraqutny.) It was reported also that the Prophet (peace be upon him) said, ﴾The adulterers are those who marry themselves without a Waliy and two witnesses.﴿ (Related by Al-Tirmidhy.) A case was brought to `Umar (may Allah be pleased with him) where a marriage contract was concluded with only a man and a woman as witnesses. He said, "This is a secret marriage. I do not permit it. If I had previously pointed out that it is prohibited, I would have stoned them to death." (Related by Malik in his book Al-Muwatta'.) Ibn `Abbas said, "There is no valid marriage except with two just witnesses." Al-Tirmidhy (may Allah be merciful with him) said after mentioning many Hadith concerning the obligation of the existence of Waliy and two witnesses in marriage: "This is the viewpoint held by the scholars from among the Companions of the Prophet (peace be upon him) and those who came after them of the second generation and others. They said: 'There is no valid marriage contract without two just witnesses.'" This is also supported by its being in line with the purposes of Shari`ah (Islamic Law).

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This is because doing so leads to protecting honors and lineage. Moreover, it blocks all avenues leading to adultery and corruption. It also removes what causes disputes between the spouses. Moreover, it is not permissible for a Muslim man to marry a woman from among the People of the Book without two just Muslim witnesses. This is according to the soundest opinion of scholars as it agrees with what is mentioned of Hadith and narrations. In addition, it is compatible with the general purposes and rules of Shari`ah. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 18486

Q: I am a fourth year medical student. I study in a European country, which used to be under communist rule. There is no Islamic center here and due to political reasons, I cannot travel to any country where there is an Islamic center. In my second year, I married a Christian girl from this country. Lately, I have been in doubt regarding the validity of my marriage. Here is my story, hoping that it would attract your due attention and thanks for your efforts.

I met my wife coincidentally. At that time, I was not thinking of marriage

or looking for a wife. After several discussions, I thought that she might embrace Islam. A week after we knew each other, I proposed to her. I did not know much about marriage procedures; I only knew that the contract is concluded by means of the proposal and acceptance of the couple and announcement through two adult and sane Muslim witnesses known for their honesty and trustworthiness. We were married three months after we knew each other and my family knows about it. We agreed that we will register our marriage officially after my graduation. Until then we will not live together in one house for I cannot afford this. We only married so that we could know each other more and to keep ourselves chaste. I am serious in my willingness to complete my life with this girl and I do not intend Mut`ah marriage (temporary marriage for a stipulated period), which I know that it is Haram (prohibited). I informed her about all her rights, such as advanced and deferred Mahr (mandatory gift to a bride from her groom), but she refused even though I insisted. She was a nineteen-year-old virgin at that time and used to work as a teacher in a nursery. She was responsible for herself, and her family has had no authority over her since she was above eighteen.

Her family considers this her personal life and they do not care about who she marries. Is my marriage without Mahr considered valid even though I am ready to pay it to her?

Is my marriage still valid even though we do not wear wedding rings, we were not engaged before, and we did all this without the knowledge of her family until now? Please take into consideration that her father will not accept our marriage, for he is racist. What is the ruling on our children? Is it permissible for one of our friends to conclude our marriage contract in the presence of two witnesses, as there is no Ma'dhun (marriage registrant)? Is our marriage Haram? Will it differ if my wife embraces Islam? Please advise us. May Allah benefit us and you!

A: A marriage contract is considered invalid without the presence of a Waliy (a legally accountable person acting for a woman seeking marriage) and two just witnesses. it is not permissible for a woman to conclude her own marriage contract. The Prophet (peace be upon him) said: ("There is no marriage without a Waliy and two just witnesses.") He (peace be upon him) also said: ("No woman may conclude the marriage contract of another woman, and no woman can conclude the marriage

contract on behalf of her own self.") Therefore, your marriage contract is invalid. It should be renewed in the presence of her Waliy. A woman from the People of the Book is to be given in marriage in the presence of her father. If she has no father or if he refuses, then it should be done by her closest male agnate. If there are no such relatives, or they refuse to carry out this task,

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then her marriage contract should be concluded by the Muslim judge. If there is no judge, then the head of the Islamic center in her area should do it. This is according to the evidence from the Qur'an and the Sunnah (whatever is reported from the Prophet). Moreover, a Muslim should not marry a woman from the People of the Book unless she is chaste, meaning, she is in a state of fortification against Zina (premarital sexual intercourse) by virtue of her chastity. Allah (Glorified and Exalted be He) says: (Made lawful to you this day are At-Tayyibât [all kinds of Halâl (lawful) foods, which Allâh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them. (Lawful to you in marriage) are chaste women from the believers and chaste women from those who were given the Scripture (Jews and Christians) before your time when you have given their due Mahr (bridal-money given by the husband to his wife at the time of marriage), desiring chastity (i.e. taking them in legal wedlock) not committing illegal sexual intercourse, nor taking them as girl-friends. And whosoever disbelieves in Faith [i.e. in the Oneness of Allâh and in all the other Articles of Faith i.e. His (Allâh's) Angels, His Holy Books, His Messengers, the Day of Resurrection and Al-Qadar (Divine Preordainments)], then fruitless is his work; and in the Hereafter he will be among the losers.) You should keep away from her until you renew the marriage contract. If she is pregnant, the children will be attributed to you because it is assumed that you have been married, even if the validity of the marriage contract is questionable. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Ish-had

The first question of Fatwa no. 5129

Q 1: This question is about marriage; I mean Al-Tafwid marriage. It is known that this is a marriage contract that is signed without defining the value of the Mahr (mandatory gift to a bride from her groom) and without Ish-had (bringing witnesses). Is the agreement between the Waliy (a legally accountable person acting for a woman seeking marriage) and the husband - which is the basic condition in the marriage contract - enough and can it replace Ish-had, or is it obligatory?

A: The agreement between the waliy of a woman and her suitor is not enough and does not replace Ish-had to the contract, even if there are Ijab (a pillar of the marriage contract: a willing offer of marriage expressed by the bride's guardian) and Qubul (a pillar of the marriage contract: a willing acceptance expressed by the groom) between them. This is because the attendance of two just witnesses to attest to the contract is obligatory, for the Prophet (peace be upon him) said: ("There is no marriage without (the presence of) a Waliy and two just witnesses (i.e. their attestation to the contract).") Moreover, signing the marriage contract based on the agreement between the Waliy of a woman and her suitor only without the attestation of two just witnesses could be a means to Zina (premarital sexual intercourse). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 18644

Q 2: an Imam came to conclude a marriage contract. One of the witnesses

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did not have the qualifications necessary for bearing witness. However, the Imam thought well of him hoping that he might have repented. Anyway, marriage was contracted and it turned out later that the witness was not qualified. The contract was then enforced and the husband traveled with his wife. Asking some scholars in his country, he was given the answer that marriage is valid. However, he decided to ask you to confirm this.

A: The basic principle is that contract is valid in case the witness mentioned above is a Muslim. If he is not a Muslim, the contract will have to be re-concluded to be witnessed by two just witnesses. In this regard, the Prophet (peace be upon him) said, (There is no [valid] marriage without [the permission of] a guardian and [the presence of] two just witnesses.) May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 18706

Q 2: is it permissible for me to witness or conclude a marriage contract for a man and woman without knowing whether they perform Salah (Prayer) or not? Please, bear in mind that most of the population of the region where the contract is concluded do not perform Salah. What will be the case if most of them perform Salah; should I ask about the status of the person marrying in particular regarding performing Salah? Answer us, may Allah reward you well!

A: Muslims are primarily thought of as just and punctual in performing Salah. Thus, if

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you know nothing about him, you should primarily assume that he performs Salah and thus you may witness the marriage contract. However, if you know that he does not perform Salah while the wife does or vice versa, you may not witness the marriage contract as it will be null and void. The Prophet (peace be upon him) said, ﴾I cannot bear witness to an injustice.﴿ He (peace be upon him) also said, ﴾That which differentiates us from them [disbelievers and hypocrites] is our performance of Salah. He who abandons it, becomes a disbeliever.﴿ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question of Fatwa no. 19383

Q 1: is a marriage contract, witnessed by two witnesses who are relatives of the bride, the groom or the Waliy, such as a brother, son or grandfather, valid? Actually, some people claim that the contract as such is invalid, while others deem it to be valid. Please, tell us about the right position.

A: The marriage contract is valid if witnessed by relatives of the two spouses - except ascendants and descendants of the one marrying, i.e. father and grandfathers or sons and sons' sons - as they are not accusable.

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The third question of Fatwa no. 20010

Q 3: is it permissible for the brothers or the sons of a man or a woman to be witnesses to their marriage contract, given that the Waliy (a legally accountable person acting for a woman seeking marriage) of the woman is her father or one of her brothers?

A: It is permissible for a man to be a witness to his brother's marriage contract. However, it is impermissible for a son to be a witness to his father's marriage contract, or a father to be a witness to his son's marriage contract. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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5- Compatibility

The first question of Fatwa no. 2513

Q 1: I have a neighbor who is from the noble people of Quraysh. I asked him to marry his daughter to me but he refused saying: It is not permissible to marry from the noble people as they can only marry each other.

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A: compatibility should be in religion, not in lineage. This is based on the general meaning of Allah's saying (Exalted be He): (Verily, the most honourable of you with Allâh is that (believer) who has At-Taqwâ [i.e. he is one of the Muttaqûn (the pious)].) It has been reported that the Prophet (peace be upon him) married Fatimah bint Qays who was a Qurashy to his freed slave Usamah ibn Zayd (may Allah be pleased with them). It is also authentically reported that Zayd ibn Harithah, the freed slave of the Prophet (peace be upon him) married Zaynab bint Jahsh who was from the tribe of Banu Asad. Al-Bukhari, An-Nasa'iy and Abu Dawud reported on the authority of `Aishah that Abu Hudhayfah ibn `Utbah ibn Rabi`ah ibn `Abd Shams Al-Qurashy, one of those who witnessed the Battle of Badr with the Prophet (peace be upon him) adopted Salim and married him his niece Hind bint Al-Walid ibn `Utbah ibn Rabi`ah

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who was a freed slave of a woman from Al-Ansar. Al-Tirmidhy also reported on the authority of Abu Hatim Al-Muzany that the Prophet (peace be upon him) said: (When someone with a satisfactory standard of Iman (Faith) and honesty comes to you seeking marriage, then give him (your daughter or sister) in marriage. If you refuse, that will lead to the spread of great corruption in the land. They said: What if he was so? He (peace be upon him) said: If someone with a satisfactory standard of Iman and honesty comes to you seeking marriage, then give him (your daughter or sister) in marriage.) He (peace be upon him) said it thrice. Al-Tirmidhy graded it as Hadith Hassan Gharib (a good Hadith that is strange to come from this chain of narration). Moreover, Abu Dawud reported on the authority of Abu Hurayrah that the father of Hind (may Allah be pleased with them both) cupped the Prophet (peace be upon him) in his head. Thereupon, the Prophet (peace be upon him) said: (O people of Bayadah, marry the father of Hind to your daughters and marry from his daughters.) Related by Al-Hakim who graded it as Hasan (good). However, it is necessary to take the permission of the virgin (by her silence) and asking the permission of the previously-married woman (by utterance) and consent even if the betrothed is Qurashy and she is not, acting upon the reported Hadiths in this regard.

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Fatwa no. 3366

Q: i have a son who smokes and shaves his beard. Yet, he performs the obligatory Salah (Prayer). He asked me to help him get married. is it permissible for me to help him marry or not?

A: The things you mentioned are not reasons that prohibit you from helping him get married. Rather, you should advise him to give up smoking and to let his beard grow. We hope that his marriage will be a cause for his guidance and obedience. Goodness brings about goodness. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 4951

Q 2: The Messenger of Allah (peace be upon him) enjoined the believing man who is seeking marriage to look for a religious wife.

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The foregoing is well-established through the renowned Hadith which reads, (A woman may be married for four reasons...) **What is the ruling if I love a girl who is not fully religiously committed because she does not wear Hijab (veil) but when I discussed this issue with her she mentioned that she is ready to make Tawbah (repentance) to Allah and obey Him (Glorified and Exalted be He). Shall I marry her and get two rewards; the reward of marrying and protecting my private parts (from illegal sexual acts, etc) and the reward of helping to guide the concerned girl (to the way of Allah) or should I not proceed to marry her and look for another religious wife?**

A: If the reality is exactly as what is mentioned in the question i.e. the concerned girl is ready to wear Hijab and make Tawbah to Allah (Glorified be He), it is permissible for you to marry her if she is a chaste Muslim or one of the people of the Book. May Allah guide her and enable you to protect your private parts and help you direct the concerned girl to the way of Allah. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 6405

Q: I would like to inform you that my father (may Allah be merciful with him) died about 20 years ago. He left behind children from more than one wife; three males from a wife,

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myself from another wife, other heirs from a third wife. On the date of my father's death, there were three underage girls and a boy, the son of the last wife of my father. I was appointed as their guardian and thus they stayed with me. I would like to inform you that I gave the eldest girl in marriage. I wanted to give in marriage the elder of the two remaining girls but her mother refused on the pretext that she wants to marry her to a half maternal brother's son. Anyway, I consulted the mother regarding marrying the younger girl, which she accepted and I thus married her. There remains with me then the middle girl and the mother who urges us to marry her to her half maternal brother's son. In fact, regarding the man's religion and morals I only know that he smokes cigarettes. Therefore, I want you to give me a Fatwa on whether to marry him to her, bearing in mind that my sister cannot refuse her mother's request of marrying him. I wish that Your Eminence will give me a written Fatwa so that I may show it to my sister.

A: It is obligatory on the Waliy (a legally accountable person acting for a woman seeking marriage) to be careful when choosing a husband for the woman under his guardianship, asking about him and choosing a religious person of good conduct who deals kindly with people. Thus, you have to ask about whether the man establishes the fundamentals of Islam including Tawhid (monotheism), five obligatory daily Salahs, Zakah (obligatory charity), Sawm (fast) and Hajj as well as other good morals and characteristics. If he is so, you may marry him to her after seeking her permission, even if he commits some sins if you find no one better than him.

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The seventh question of Fatwa no. 7760

Q 7: What is the ruling on giving a daughter in marriage to a person who is ignorant of the pillars of Islam?

A: A woman's Waliy (a legally accountable person acting for a woman seeking marriage) should choose for the woman under his guardianship the most suitable person regarding religion and honesty. This is supported by many Shar`y (Islamic legal) evidence. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 13388

Q: i have a son who is 40 years old now and is of weak mental growth. His mental growth ratio is one year per seven years as stated by a doctor. He is very frivolous and often angry. He sometimes behaves like a seven or ten-year-old child and sometimes like a man of the same age. He has asked for years

to be married. Is it permissible for us to marry him, bearing in mind that there is a source of sustenance for him and his would-be wife? Will his utterance of divorce while angry be enforceable? The source of sustenance is that we will buy him a house to live in an apartment thereof and rent other apartments to sustain him and his wife, if Allah destines him to marry.

A: It is permissible for you to marry him out of his own money as it guarantees his chastity and guarding him against sources of corruption. Moreover, he and his would-be wife and children must be sustained from his money if he has any. If he has no money, his sustenance will be the responsibility of those on whom his sustenance is obligatory such as his father, mother or the like. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 13314

Q 2: is it permissible for a man who cannot speak to marry a normal girl who can speak? Is it permissible to have a conversation with her in the street, given that she is wearing Niqab (face veil)?

A: If the mentioned girl agrees to marry him after knowing his condition, it is permissible for him to marry her.

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The fourth question of Fatwa no. 15088

q 4: A young woman is suffering from occasional insanity. Many suitors have proposed to marry her but all the proposals were turned down because the family is hesitant about informing the suitor of her illness. Thus, the opportunity of marrying her to a suitor is lost. The family prefers to marry her off to a handicapped person who will accept to marry her. A sterile person has asked her hand in marriage. Her cousin, who knows about her illness, has also proposed to her. The problem is that the cousin's mother is also suffering from the same illness. When we asked the opinion of the doctor, he advised us not to marry the woman to her cousin as the possibility of the mother giving birth to children with the same illness can not be ruled out.

The question is: What is the ruling of Shari`ah (Islamic Law) on this marriage? If the woman happens to give birth to a mentally disabled baby, will we be held responsible for that since we helped to facilitate the marriage?

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A: You should not deprive the young woman of marriage. You should give her in marriage to her cousin while entrusting the affair to Allah (Exalted be He). You do not have to pay heed to the doctor's advice which is based on probability. This marriage will be in the best interest of the two parties and will also protect the woman from celibacy. The marriage will still be conditional on her consent to marry the man whom her Waliy (a legally accountable person acting for a woman seeking marriage) chooses for her. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 15250

Q: What is the ruling on marrying a foundling (an illegitimate daughter)? What are the legitimate impediments to it? What are the Shar`y (Islamically lawful) rulings concerning this kind of marriage? Is it considered the same as marrying ordinary Muslim girls whose families are known? Does it take the same rulings as marrying slave-girls?

A: There is no harm in marrying a foundling girl whose origin is unknown, provided that

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she is a righteous, religious woman, and because she needs a man to protect her and keep her chaste. This would be an ordinary marriage, unlike marrying slave-girls, as she is a free woman. The person who is her Waliy (a legally accountable person acting for a woman seeking marriage) is the ruler of the country, as he should be the Waliy of those who have no Waliy. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The third question of Fatwa no. 18449

Q 3: my nephew, who works in the National Commercial Bank, proposed to marry a woman who is under my guardianship. He earns a living from his work in a bank. I do not know whether his money is Halal (lawful) or Haram (prohibited). Is it permissible for me to accept his proposal? Please reply.

A: Working for usurious banks is impermissible, as it entails collaboration in sin and transgression. Allah (Exalted be He) states, ﴾Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression.﴿ The earnings attained from such work are ill-gotten gains. You are obliged, as her Waliy (a legal guardian representing the bride), to

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marry her to a suitor whose commitment to Islam and trustfulness are acceptable, and reject anyone who does not possess these qualities. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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Women Unlawful for Marriage

1- Eternal Prohibition

The ninth question of Fatwa no. 6471

Q 9: a woman left her young child in a small village; thereafter, someone took him and raised him as their own son. Later on, when the boy grew up, he unknowingly married his sister. She gave birth to a boy and then the husband discovered that she was his full sister. What is the ruling on this? What is the ruling on the newborn child? Is he considered to be legally born or a son of Zina (fornication and/or adultery)?

A: If the case is as you mentioned, that they did not know of the truth of their kinship at the time of marriage, they are excused, but they must be separated from each other. The boy will be attributed to both of them for being born in legal wedlock.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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The second question of Fatwa no. 10617

Q 2: a man married a woman, then divorced her, and she later married another man. Is it permissible for the first man's sons to marry the second man's daughters of the same woman, or are they considered Mahrams (unmarriageable relatives) for her?

A: If a man marries a woman, then divorces her and she marries another man, it is permissible for the first man's sons from another woman to marry the second man's daughters. However, if they are the sons of the same woman, it is impermissible for them to marry, as in this case they are maternal half-siblings. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 19788

Q: a woman married a man and gave birth to a boy. after the death of her first husband, she married another person and

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gave birth to a boy. Is it permissible for the son of the second husband to marry the daughter of the first husband's son? May Allah reward you best!

A: It is not permissible for a brother to marry his brother's daughter; because she is one of the Mahrams (unmarriageable relatives) mentioned in the saying of Allah (Exalted be He) about women who are not allowed for marriage: ﴿Forbidden to you (for marriage) are: your mothers, your daughters﴾ to His saying: ﴿your brother's daughters, your sister's daughters﴾ (Surah Al-Nisa'). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The third question of Fatwa no. 3984

if a person's brother has a daughter who is a grandmother, is it permissible for her paternal uncle to marry her granddaughter?

A: It is not permissible for him to marry her. This is according to the general consensus of Muslim scholars; because he is her grandmother's uncle, and a grandmother's uncle is considered her uncle, and her descendants' uncle.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Deputy Chairman	Chairman
`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 9079

Q: i have a brother who has a son and this son has daughters. i would like to marry one of this son's daughters. is it permissible for me to marry any of them?

A: If your brother, whom you mentioned, is a full-brother or a half-brother from the side of your father or mother or a foster-brother, it is not permissible for you to marry any of his daughters or his son's daughters and their descendants. Allah (may Allah be Exalted) says: (Forbidden to you (for marriage) are: your mothers, your daughters) to His saying: (your brother's daughters, your sister's daughters, your foster mothers who gave you suck, your foster milk suckling sisters) The Prophet (peace be upon him) said: (Milk relationships are equal to blood relationships in rendering marriage unlawful, i.e. whatever is prohibited due to blood relationships is also prohibited by milk relationships.) May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Fatwa no. 13338

Q: What is the ruling on the wife's uncle who is a half-brother to her father, especially that their ages are close? Is he considered a Mahram (unmarriageable relative) to her like an uncle who is a full-brother to her father? If he is not a Mahram to her, is it permissible for him to marry her? May Allah reward you best!

A: It is unlawful for a man to marry the daughter of his half-brother. Allah (Exalted be He) says: ﴾Forbidden to you (for marriage) are: your mothers, your daughters, your sisters, your father's sisters, your mother's sisters, your brother's daughters﴿ A brother may be a full-brother or a half-brother whether from the side of the father or the mother. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 15966

Q: i married the daughter of my full-brother's daughter. However, I did not consummate the marriage. She stayed in her father's house after we concluded the marriage contract; because she was very young at the time. I intended to consummate marriage after she reaches the age of puberty but a religious scholar told me

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that this marriage is not permissible. He quoted as evidence Allah's saying (Exalted be He) on the women who are not lawful for a person to marry: ﴾Forbidden to you (for marriage) are: your mothers, your daughters﴿ **to His saying:** ﴾your brother's daughters﴿ **He added that marrying my brother's daughter or her descendants is unlawful for me. After that I consulted another scholar who told me that there is no evidence to support the view of anyone who says that my marriage contract is invalid. Therefore, I am writing to you hoping that you will send me a written Fatwa as regards the ruling on this marriage.**

A: If the reality is as you have mentioned, that you wrote a marriage contract to your full-brother's daughter, it is unlawful for you to marry her. Consequently, your marriage contract is invalid; because you are her uncle. Concerning the women who are unlawful for the person to marry, Allah (Glorified and Exalted be He) says: ﴾Forbidden to you (for marriage) are: your mothers﴿ to His saying: ﴾your brother's daughters﴿ A brother's daughter is like a brother's granddaughter. This is according to the Ijma` (consensus of scholars), and you have to repent to Allah (Exalted be He) for doing this. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 2895

Q: A man called Sa`id married two women; the first bore him a son called `Abdullah and the second bore him a daughter called Fatimah. `Abdullah got married and had a daughter called Salma, who later got married and had a son called Ahmad. is it permissible for Ahmad to marry Fatimah?

A: It is impermissible for Ahmad to marry Fatimah, because she is his mother's paternal aunt, which means that she is considered as his aunt. All his parents' and grandparents' paternal and maternal aunts are considered aunts for him. Allah (Glorified and Exalted be He) says, ﴾Forbidden to you (for marriage) are: your mothers, your daughters, your sisters, your father's sisters, your mother's sisters﴿ Muslim scholars have unanimously agreed on this. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 8600

Q: My paternal grandfather married my maternal cousin after my grandmother's death, and they had children. I proposed to one of his daughters, but he told me they are Mahrams (unmarriageable relatives) for me. Therefore, it is impermissible for me to marry any of them, as they are considered my paternal aunts, for their father (meaning himself) was previously married to my grandmother. Now I am referring this subject to Your Eminence. Please advise whether they are lawful for me in marriage.

A: If the situation is as you mentioned, that your paternal grandfather married your maternal cousin; his daughters from your cousin are your father's sisters, or your paternal aunts. It is impermissible for you to marry any of them, according to Allah's saying, (Forbidden to you (for marriage) are: your mothers, your daughters, your sisters, your father's sisters) May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 5790

Q: Layla is a mother and Salma is her daughter. Khalid and `Aly are two brothers. Khalid got married to Layla and `Aly got married to Salma. Layla had another daughter that was called Yusra while Salma had a son who was called Hasan.

My question is whether it is permissible for Hasan to marry Yusra bearing in mind that she is regarded as his cousin and maternal aunt?

A: If the reality is what is mentioned in the question, it is Haram (prohibited) for Hasan to marry Yusra because the latter is his maternal aunt and Allah (Glorified be He) says, ﴾Forbidden to you (for marriage) are: your mothers, your daughters, your sisters, your father's sisters, your mother's sisters﴿ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 1114

Q: is it permissible for a man to give his daughter in marriage to his father's maternal uncle? Is it permissible for a man to marry

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his cousin who suckled with him one day or part of a day?

A: As for the first question, it is not permissible for the questioner to give his daughter in marriage to his father's maternal uncle because his uncle is considered an uncle to him and to his offspring and their succession because of the general meaning of Allah's saying (Exalted be He): ﴾your sister's daughters﴿ The uncle is not allowed to marry his nieces and their descendants. As for the second question, if the number of suckling reaches five times or more during the first two years of life, the suckling will make him a Mahram (unmarriageable relative) to her. It is not permissible for the questioner to marry his cousin who suckled with him or with one of his brothers. If it is less than five times or after the first two years, it will be ineffective. The legally counted suckle is that a child suckles milk from a woman's breast and when he leaves the breast, it will be considered one suckle. If he holds it again, it will be a second time and so on until he completes five times. This is the shar`y counted suckle; not the one which you described in one day or part of the day because a baby may complete what is considered suckling in less than an hour or he may complete it in five days or more.

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The second question of Fatwa no. 12242

Q 2: what is meant by (And marry not women whom your fathers married)

A: It means that you are not allowed to marry your step-mother, whether the marriage is consummated or not. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 3682

Q: my father married a woman, and then a dispute arose between him and her family, so he divorced her. I then went to her family and proposed to her, but her father told me that it is not Halal (lawful) for me to marry her, because she was married to my father. I hope that Your Eminence will guide me to the lawful path regarding this matter.

A: If the situation is as you mentioned and your father had concluded a marriage contract with the woman, she was his wife, even if they did not consummate the marriage.

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It is therefore Haram (prohibited) for you to marry her after your father has divorced her. Allah (Exalted be He) says (what means), ﴾And marry not women whom your fathers married, except what has already passed; indeed it was shameful and most hateful, and an evil way.﴿ May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

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Fatwa no. 10295

Q: What is your opinion on a young man marrying his grandfather's ex-wife although she had children with the grandfather? Please advise me and may Allah bless you!

A: marrying a grandfather's ex-wife after he divorced her is Haram (prohibited), because Allah (Exalted be He) says: ﴾And marry not women whom your fathers married﴿ The "fathers" in this Ayah (Qur'anic verse) include grandfathers. Accordingly, this marriage is not lawful and it is obligatory on the husband to halt his relations with this woman and separate from her. As to the children from this marriage, they are attributed to the husband because he was ignorant of the ruling.

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May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 20503

Q 2: my father married a woman, but he divorced her before consummating the marriage with her. Is it permissible for me to visit her or shake hands with her? Please note that she is his paternal cousin.

A: The woman with whom your father wrote a marriage contract but divorced before consummating the marriage is considered a permanent Mahram (unmarriageable relative) for you. This is according to Allah's saying, ﴿And marry not women whom your fathers married, except what has already passed; indeed it was shameful and most hateful, and an evil way.﴾ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Fatwa no. 19764

Q: is it permissible for a man to marry the divorcee of his father with whom the father did not consummate the marriage? Moreover, is it permissible for a father to marry the divorcee of his son with whom the son did not consummate the marriage?

A: Stepmothers or even foster stepmothers and all step grandmothers and their ascendants are permanently unmarriageable for their stepsons, their husbands' grandsons, and their descendants whether their marriages were consummated or not. Proof for the foregoing is the generality of the Ayah (Qur'anic verse): ﴾And marry not women whom your fathers married, except what has already passed; indeed it was shameful and most hateful, and an evil way.﴿ Likewise, daughters-in-law are unmarriageable to their fathers-in-law or even their foster fathers-in-law, fathers of their fathers-in-law, and their ascendants whether their marriages were consummated or not. Proof for the foregoing is the generality of the Ayah which states the categories of women that one is forbidden to marry: ﴾the wives of your sons who (spring) from your own loins﴿ Another proof is the Hadith in which the Prophet (peace be upon him) said, ﴾Milk relationships are equal to blood relationships in rendering marriage unlawful [i.e. whatever is prohibited due to blood relationship is also prohibited by milk relationship].﴿ Regarding Allah's saying in the Ayah which is quoted above, "... who (springs) from your own lions...," it is to exclude adopted sons; a practice that was widespread

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in Jahiliyyah (pre-Islamic time of ignorance) but was declared Haram (prohibited) by Islam. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 15648

Q: What is your opinion concerning the ruling on marrying a grandson's ex-wife after she finishes her `Iddah (woman's prescribed waiting period after divorce or widowhood)? Is it lawful or unlawful for that woman to marry that man? If it is unlawful, what is the evidence? May Allah reward you.

A: It is impermissible for a man to marry a woman who was previously married to his son or grandson, whether that relation is by marriage or a foster relation. This is according to Allah's saying when He mentions the women who are unlawful to marry, ﴿the wives of your sons who (spring) from your own loins﴾ If a man divorces his wife or dies, it is impermissible for her to marry his father, or paternal or maternal grandfather, as all grandfathers take the same ruling concerning this, due to the generality of the Ayah. Also, Allah's saying about Yusuf (Joseph, peace be upon him) when he said, ﴿"And I have followed the religion of my fathers, - Ibrâhîm (Abraham), Ishâq (Isaac) and Ya'qûb (Jacob) [عليهم السلام]﴾

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He is Yusuf ibn Ya`qub ibn Ishaq ibn Ibrahim (peace be upon them). Allah's saying, ﴿from your own loins﴾ excludes adopted sons, as they used to adopt children during the time of Jahiliyyah (pre-Islamic time of ignorance), so Allah (Exalted be He) prohibited this in His saying, ﴿nor has He made your adopted sons your real sons. That is but your saying with your mouths. But Allâh says the truth, and He guides to the (Right) Way.﴾ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 7105

I did not consummate the marriage with my wife. Is it permissible for me to marry her daughter from her second husband?

A: If the reality is that you did not consummate the marriage by having intercourse with that woman, it is permissible for you to marry her daughter. Allah (Exalted be He) says: ﴾your step daughters under your guardianship, born of your wives to whom you have gone in - but there is no sin on you if you have not gone in them (to marry their daughters)﴿

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Permanent Committee for Scholarly Research and Ifta'

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The second question of Fatwa no. 10731

Q 2: a man concluded a marriage contract with a woman and then divorced her before consummating the marriage, is it permissible for him to marry her daughter or mother?

A: It is permissible for someone who contracted a marriage with a woman and then divorced her before consummating the marriage to marry her daughter. However, it is not permissible to marry the mother due to just having contracted the marriage with her daughter. Allah (Exalted be He), when mentioning the women that a man is forbidden to marry, says: ﴾your wives' mothers﴿ May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

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Fatwa no. 896

Praise be to Allah Alone. To proceed: The Permanent Committee for Scholarly Research and Ifta' has reviewed the request for a Fatwa (legal opinion issued by a qualified Muslim scholar) submitted by the Judge of the Al-'Amar Court, which was forwarded by the General Secretariat of the Council of Senior Scholars, no. 2/1663 on 24 Safar, 1394 A.H.

In regard to what the Judge mentioned, that SH came to him to ask whether, as his ex-wife had remarried and had daughters with her new husband, he was considered as a Mahram (an unmarriageable relative) for her daughters from her subsequent marriage.

A: If the questioner, SH, had consummated the marriage with his ex-wife, the daughters she has with another man are considered to be his stepdaughters. He is not permitted to marry any of them, as he is one of their Mahrams. Allah (Exalted be He), when mentioning the women that a man is forbidden to marry, says (what means): ﴾your step daughters under your guardianship, born of your wives to whom you have gone in﴿ If he did not consummate the marriage with his ex-wife, her daughters by another man will be Ajnabiyyat (women lawful for the man to marry), as Allah (Exalted be He) says: ﴾but there is no sin on you if you have not gone in them (to marry their daughters)﴿ Ibn Al-Mundhir said that the Muslim scholars of all regions agree by Ijma' (consensus) that if a man marries a woman and then divorces her, or

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she dies before consummating the marriage, it is Halal (lawful) for him to marry her daughter; Malik, Al-Thawry, Al-Awza'y, Al-Shafi'y, Ahmad, Is-haq, Abu Thawr, and their followers are of the same opinion, because Allah (Exalted be He) says: ﴾but there is no sin on you if you have not gone in them (to marry their daughters)﴿ May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman
`Abdullah ibn Sulayman Ibn Mani`	`Abdullah ibn `Abdul-Rahman ibn Ghudayyan	`Abdul-Razzaq `Afify

Fatwa no. 1289

Q: a man married a woman then divorced her. He did not have any children from her. Then she married another man and gave birth to a girl. Is this girl considered a step-daughter to her mothers' ex-husband and hence, one of his Mahrams (unmarriageable relatives)?

A: If the woman's first husband divorced her after he had consummated the marriage, then her daughter from the second husband is considered a stepdaughter of the first husband and hence, it is unlawful for him to marry her according to Allah's saying (Exalted be He): (Forbidden to you (for marriage) are: your mothers, your daughters) to His saying: (your step daughters under your guardianship, born of your wives to whom you have gone in)

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Saying that the stipulation of the guardianship of the step-father to the stepdaughter is for the predominant case only, has no effect on the ruling. If the first husband divorced her before the consummation of the marriage, she does not have the same ruling as a stepdaughter and it is permissible for him to marry her because the Qur'anic verse prohibits a step-father from marrying his step-daughter if he had consummated the marriage with her mother. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 1489

Q: a man married a woman but they did not have children and he divorced her. She married another man and bore him a son. Then, she married a third man and bore him sons and daughters. Is it permissible for him to marry her?

A: If you are asking about the ruling on remarrying the woman whom you were previously married to, it is permissible as long as she is not

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married to another man or in the time of `Iddah (woman's prescribed waiting period after divorce or widowhood). If you want to marry one of her daughters from her third husband, it is impermissible for you, as they are your stepdaughters. Allah (Exalted be He) says, (Forbidden to you (for marriage) are: your mothers, your daughters) until He says, (your step daughters under your guardianship, born of your wives to whom you have gone in) You have married their mother and consummated your marriage to her, so it impermissible for you to marry one of her daughters, even if you had not brought them up. This condition is general, and is not restricted to a particular case. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 1876

Q: 1- if a man married a nine-year-old girl and had sexual intercourse with her and then divorced her, and after the elapse of her `iddah (woman's prescribed waiting period after divorce or widowhood), she married another man and gave birth to a girl; will it be permissible for the first husband to marry her daughter? 2- The wife of my half-brother suckled a girl; is it permissible for me to marry this girl?

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A: First, it is not permissible for a man to marry the daughter of his wife with whom he had sexual intercourse because she is his step-daughter. Allah (Glorified and Exalted be He) says: ﴿Forbidden to you (for marriage) are: your mothers, your daughters﴾ To His saying: ﴿your step daughters under your guardianship, born of your wives to whom you have gone in﴾ There is no contradiction to the meaning of Allah's saying (Exalted be He): ﴿under your guardianship﴾ because this is most common among people. **Second,** legal texts indicate that the suckling which prohibits marriage must be five or more in number and must be done during the first two years of the child's life. The meaning of a suckle is that a baby holds the breast and suckles milk then leaves it and moves. When he suckles again, it will be considered as one suckling and so on. If the girl suckled in the same way, she is your foster-niece and it is not permissible for you to marry her due to the saying of Allah (Exalted be He): ﴿Forbidden to you (for marriage) are: your mothers﴾ To His saying: ﴿your brother's daughters﴾ The Prophet (peace be upon him) said: ﴿Wet-nursing makes unlawful what consanguinity makes unlawful.﴾

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The third question of Fatwa no. 5364

Q 3: A divorced woman married another husband to whom she bore daughters. Is her ex-husband considered a Mahram (unmarriageable relative) to his step-daughters?

A: A Muslim is forbidden to marry the step-daughters of the wife with whom the marriage is consummated. He will be considered as a Mahram to all her daughters. Allah (Exalted be He) says: ﴾Forbidden to you (for marriage) are: your mothers﴿ until He says: ﴾your step daughters under your guardianship, born of your wives to whom you have gone in﴿ However, if the marriage is not consummated with that wife, he will be regarded as a non-Mahram (a marriageable relative) to his step-daughters. This is based on the Ayah (Qur'anic verse) in which Allah (Exalted be He) says: ﴾but there is no sin on you if you have not gone in them (to marry their daughters)﴿

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 12534

Q: I got to know a widow who had eight minor children. She is my neighbor. We agreed to marry, but my father surprised me by asking for her daughter's hand in marriage to me. Fearing my father's anger, I concluded the marriage contract with the girl, who was at that time eleven years old, but I did not consummate my marriage with her. A month later, I divorced her. A year later, I married her mother and had four children, the elder of whom is four years old and the youngest is 4 days old. Please advise me concerning this. Many thanks to you.

A: Your marriage to the mother of the girl whom you had previously married but divorced before consummating the marriage is invalid. It is impermissible for a man to marry his mother-in-law, as long as he has concluded a marriage contract with her daughter, even if he did not consummate his marriage to her. Allah (Exalted be He) says, ﴾Forbidden to you (for marriage) are: your mothers, your daughters﴿ until His saying, ﴾your wives' mothers﴿

(Part No. 18; Page No. 220)

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Fatwa no. 16683

Q: i am a man who has a grown up daughter. i want to marry her off to a man who married my mother twenty years ago, then divorced her. is it permissible for my daughter to marry this man? We appreciate your advice. May Allah guide you!

A: It is not permissible for you to marry your daughter off to a person who had married your mother if he had consummated the marriage with her before he divorced her. In that case, your daughter will be his step-daughter, and it is unlawful for him to marry her as mentioned in the saying of Allah (Exalted be He): ﴾your step daughters under your guardianship, born of your wives to whom you have gone in﴿ i.e. the daughters of the wife and her daughter's daughters and their descendants.

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The first question of Fatwa no. 15889

Q 1: is it permissible for the man who married a girl to divorce her and marry her mother? What is the ruling if the case is the reverse? If a man married a girl then she died; is it permissible for him to marry her mother? What is the ruling if the case is the reverse? I heard that if a man gets engaged to a girl, it is unlawful for him to marry her mother and that if the man concluded a marriage contract with a woman, it is unlawful for him to marry her daughter. Is this true?

A: If anyone concludes a marriage contract with a woman, it is unlawful for him to marry her mother forever. This is according to the saying of Allah (Exalted be He): ﴾Forbidden to you (for marriage) are: your mothers﴿ to His saying: ﴾your wives' mothers﴿ If a person concludes a marriage contract with a woman and consummates the marriage, it is unlawful for him to marry her daughter forever. This is according to the saying of Allah (Exalted be He): ﴾your step daughters under your guardianship, born of your wives to whom you have gone in - but there is no sin on you if you have not gone in them (to marry their daughters)﴿

(Part No. 18; Page No. 222)

The meaning of "whom you have gone in" is those with whom the man consummates the marriage by having sexual intercourse. If the man divorces a woman before he consummates the marriage, it is lawful for him to marry her daughter. This is according to the previously-mentioned Qur'anic Verse. As regards the man who is engaged to a woman without concluding a marriage contract with her, it is lawful for him to marry her mother or her daughter. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 9527

Q 2: a man married a woman who had a daughter from a previous marriage. The daughter did not grow up in his house. after that he divorced the mother and wants to marry her daughter. Is this permissible for him?

A: If he consummated marriage with the mother, it is not permissible for him to marry the daughter whether she grew up in his house or not. If he did not consummate marriage with the mother, it is permissible for him to marry her daughter after divorcing the mother according to the saying of Allah (Exalted be He): ﴾your step daughters under your guardianship, born of your wives to whom you have gone in - but there is no sin on you if you have not gone in them (to marry their daughters)﴿ This is the view of the majority of religious scholars

(Part No. 18; Page No. 223)

and the opinions of those who contradict them have no effect in this regard. It should be noted that this part of the verse: ﴾under your guardianship﴿ is an explanation for the predominant case and has no effect on the ruling. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 3322

Q 2: what is the ruling on marrying the daughter of the stepson in case one is not married to her grandmother?

A: It is unlawful for you to marry any of the descendants of your wife with whom you have consummated marriage, whether her daughters, granddaughters or their descendants according to the generality of the saying of Allah (Exalted be He): ﴾your step daughters under your guardianship, born of your wives to whom you have gone in﴿ If you have not consummated marriage with the grandmother, it is lawful for you to marry the stepson's daughter after separation with her grandmother whether by her death or divorce after the elapse of her waiting period.

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proposing to a married woman

The second question of Fatwa no. 5232

Q 2: My sister left her husband's house after domestic disputes. She has been living with me for two years ever since. She does not receive any money from her husband. Another man wants to marry her. She asks her husband for divorce but he refuses. Is it permissible for her to get married to the second person?

A: It is not permissible for her to get married to a person other than her husband as long she is still his wife. If he dies or divorces her, and her waiting period elapses, it will be permissible for her to marry another man. Allah (Exalted be He) says about the women unlawful for the person to marry: ﴾Forbidden to you (for marriage) are: your mothers, your daughters﴿ to His saying: ﴾Also (forbidden are) women already married, except those (slaves) whom your right hands possess. Thus has Allâh ordained for you. All others are lawful﴿

(Part No. 18; Page No. 225)

Allah (Exalted be He) also says, ﴾And those of you who die and leave wives behind them, they (the wives) shall wait (as regards their marriage) for four months and ten (days)﴿ and:﴾ O Prophet (صلى الله عليه وسلم)! When you divorce women, divorce them at their 'Iddah (prescribed periods) and count (accurately) their 'Iddah (periods).﴿ to His saying: ﴾Lodge them (the divorced women) where you dwell, according to your means﴿ Moreover, there are many authentic Hadith that explain this matter well. With regard to divorce, her husband may divorce her willingly or she can resort to the legal court to file a divorce. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The third question of Fatwa no. 17943

Q 3: A woman married a man but the marriage was not consummated. Three years later, she married another man after she persisted in getting a divorce from her ex-husband who refused to divorce her.

(Part No. 18; Page No. 226)

A: The second marriage is considered null and void because the second husband married a woman who is already married to another man. The woman has to refer to the Muslim ruler so that the first marriage can be terminated through divorce or annulment. The second husband has to conclude a new marriage contract as the first contract is considered null and void. The couple has to make Tawbah (repentance to Allah). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 16075

Q: Is it permissible according to the Qur'an to marry one's cousins, i.e. the daughters of one's paternal or maternal uncle or one's paternal or maternal aunt, for other than the Prophet (peace be upon him)?

A: The Islamic Shari'ah is characterized as being tolerant, all-inclusive and self-explanatory. It always adopts a moderate course between two extremes. It neither prohibits a Muslim from marrying the daughters of his paternal or maternal uncle, nor does it permit him to marry his sister or his niece. Allah (Exalted be He) says: ﴾O Prophet (Muhammad صلى الله عليه وسلم)! Verily, We have made lawful to you your wives, to whom you have paid their Mahr (bridal-money given by the husband to his wife at the time of marriage), and those (slaves) whom your right hand possesses - whom Allâh has given to you, and the daughters of your 'Amm (paternal uncles) and the daughters of your 'Ammât (paternal aunts) and the daughters of your Khâl (maternal uncles) and the daughters of your Khâlât (maternal aunts) who migrated (from Makkah) with you﴿

Even though the Ayah is addressed to the Prophet (peace be upon him) himself, the Muslim Ummah (Community) is by means of allusion involved in the process. Basically any instruction addressed to the person of the Prophet (peace be upon him) is also taken as addressing his Ummah unless there exists circumstantial evidence that makes it peculiar to the Prophet (peace be upon him). An example of this is the case of the woman who came to the Prophet (peace be upon him) offering herself in marriage as indicated in the concluding words of the above verse. Allah (Exalted be He) says: ﴾a privilege for you only, not for the (rest of) the believers.﴿ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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2- Temporary Prohibition

The first question of Fatwa no. 765

Q 1: My elder brother died leaving behind a wife and a child under one year of age. I would like to marry her, but I have made a contract with her sister. Since the marriage has not yet been consummated, is it permissible for me to divorce the younger sister and marry the elder one? Or, should I not marry my brother's widow and abide by the previous contract I made with her younger sister?

(Part No. 18; Page No. 228)

A: First: It is impermissible to marry two sisters at the same time, for Allah (Exalted be He) stated in clarifying the women unlawful for marriage: ﴾and two sisters in wedlock at the same time﴿ **Second:** Divorcing the younger sister to marry the oldest one, or continuing with the former and leaving the older sister is something that should be weighed. If you see that it is in the best interest of everyone concerned for you to divorce the younger sister and marry the older one in order to raise your nephew, or for another reason, it is up to you. However, if you feel that staying with the younger one is better for you, then keep her. In any case, regarding this matter, you should refer to your kin and consult them lest you should divorce the younger sister, then they refuse to give you the elder one in marriage. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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(Part No. 18; Page No. 229)

Fatwa no. 861

Q: I married my daughter a certain period of time ago then my daughter's brother-in-law, who is the younger brother of the nearest age to my son-in-law proposed to my second daughter. My first daughter got a son whose age is now about two and a half years old. This son's father then died. The brother of my deceased son-in-law whom we had concluded the contract of his marriage to my second daughter wants to revoke this contract of unconsummated marriage and marry my first daughter i.e. my grandson's mother. He would like to do so to be more able to look after his fatherless nephew. His intention is that his younger brother of the nearest age to him is to marry my second daughter. Is it permissible to do so?

A: If the concerned person divorces your second daughter while her marriage was not consummated, it will be permissible for him to marry her sister i.e. his nephew's mother. Likewise, it is permissible for that divorced daughter to marry the younger brother of her previous husband. It is worth mentioning that no `Iddah (woman's prescribed waiting period after divorce or widowhood) is to be followed by women who are divorced before the consummation of marriage for Allah (Exalted be He) says, (O you who believe! When you marry believing women, and then divorce them before you have sexual intercourse with them, no 'Iddah [divorce prescribed period, see (V.65:4)] have you to count in respect of them.) Consequently, it is permissible for each one of the two brothers to marry whomever he desires to marry amongst your daughters.

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However, concluding the contract of marriage of your widowed daughter is only permissible after the expiration of her `Iddah. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Marrying two sisters at the same time

Fatwa no. 1054

Q: what is the ruling on marrying two maternal stepsisters at the same time? Is this permissible or is it considered Haram (prohibited) due to the generality of the prohibition of marrying two sisters at the same time?

A: There is no doubt that maternal stepsisters are still considered sisters. The prohibition of marrying two sisters at the same time is general, whether they were full or foster sisters, free women or slaves, or a free woman and a slave, whether paternal or maternal half sisters, and whether before or after consummating the marriage. This is according to Allah's saying, ﴾and two sisters in wedlock at the same time, except for what has already passed﴿ Ibn Al-Mundhir said that the scholars unanimously agreed to it.

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`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	Ibrahim ibn Muhammad Al Al-Shaykh

Fatwa no. 2357

Q: is it permissible for me to marry two sisters? If I marry a woman and then divorce her, then she marries another man and I marry her younger sister after a while, is this permissible?

A: It is impermissible for a man to marry two sisters, maternal or paternal stepsisters, and biological or foster sisters, at the same time. This is according to Allah's saying about those who are prohibited to marry, (and two sisters in wedlock at the same time) However, it is permissible to marry one of the sisters, and if she dies or he divorces her and her `Iddah (woman's prescribed waiting period after divorce or widowhood) comes to an end, it is permissible to marry her younger or elder sister. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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(Part No. 18; Page No. 232)

Fatwa no. 3768

Q: I have two wives, Nudy and Munirah. Nudy was breastfed by her mother's co-wife, Munirah's step-mother that is. Munirah was breastfed along with her half-brother Muhammad. It is worth mentioning that all the family members know that she is Muhammad's milk-sister based upon the rulings of breastfeeding. Is it permissible for me to keep both Nudy and Munirah in wedlock at the same time?

A: If the case is as you have mentioned, it will be impermissible to keep the above-mentioned two women as wives at the same time, as they are milk sisters. Allah (Glorified be He) states, (Forbidden to you (for marriage) are: your mothers) to His statement, (and two sisters in wedlock at the same time, except for what has already passed) Moreover, the Prophet (peace be upon him) stated, (Relations through breastfeeding makes all those things unlawful which are unlawful through corresponding birth (blood) relations (i.e., prohibited marriages).) (Related by Al-Bukhari and Muslim) The questioner must therefore divorce the second wife.

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The first question of Fatwa no. 14113

Q 1: A man was married to a woman and he divorced her; she has a sister, is it Halal (lawful) for him to marry his ex-wife's sister after her 'Iddah (woman's prescribed waiting period after divorce) has ended or is he forbidden to marry her? Also, there is another man who was married to a woman and he divorced her; her brother has a daughter, is it permissible for him to marry his ex-wife's niece after her 'Iddah has ended? Please advise us and may Allah reward you with the best!

A: Yes, it is permissible for a man, who separated from his wife by divorce and the 'iddah of his divorced wife has ended, to marry his ex-wife's sister or niece. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 19180

Q: I am an Indian Muslim woman named Aminah. I am married to an Indian man named Khurshid, and we have four children. He also married my sister Ghawthiyyah, and they have two children. We had no idea that it is Haram (prohibited) to marry two sisters at the same time until recently. We asked him to divorce one of us when we knew that it is impermissible, but he refused. He claims to be a Muslim, but he does not apply any of the tenets of Islam except Sawm (fasting) and Salah (Prayer) in Ramadan. When Ramadan comes to an end, he discontinues Salah and Sawm until the following Ramadan. We would like to make Allah's Shari`ah (Islamic law) the judge in our case. We trust the conscience of those in charge of applying the Shari`ah in this country.

A: it is Haram to marry two sisters at the same time according to clear texts in the Qur'an and the Sunnah, whether they are full sisters, maternal or paternal stepsisters, biological or foster sisters, free women or bondwomen, or a free woman and a bondwoman. This was unanimously agreed upon by the scholars among the Sahabah (Companions of the Prophet) (may Allah be pleased with them), the Tabi`un (Followers, the generation after the Companions of the Prophet) and the rest of the Salaf (righteous predecessors). Ibn Al-Mundhir said that it was unanimously agreed to, according to Allah's saying, ﴾Forbidden to you (for marriage) are: your mothers﴿ until His statement, ﴾and two sisters in wedlock at the same time, except for what has already passed﴿ The Prophet (peace be upon him) also stated,

﴾Whoever believes in Allah and the Day of Judgment should not marry two sisters at the same time.﴿ This is also proven by the Hadith related by Al-Bukhari and Muslim, on the authority of Um Habibah (may Allah be pleased with her) that she said, ﴾"O, Messenger of Allah! I would like you to marry my sister." He said, "Would you like that?" She said, "Yes, for I am not your only wife, and I like sharing the goodness with my sister." He said, "But she is not lawful for me."﴿ Thus, your sister's marriage to your husband while you are still married to him is Batil (null and void) according to the evidence cited. He should divorce her and perform Tawbah (repentance to Allah) from what he did. It is impermissible for your sister to allow him to have intercourse with her, as she is not considered his wife. He cannot have intercourse with you either, until your sister finishes her `Iddah (woman's prescribed waiting period after divorce or widowhood), which lasts for three monthly periods. If your husband does not offer Salah except in Ramadan, he is considered a Kafir (non-Muslim) according to the more authentic of the two opinions of scholars, even if he does not deny its obligation, according to the statement of the Prophet (peace be upon him), ﴾What makes one a Kafir and a Mushrik (polytheist) is abandoning Salah.﴿ Related by Muslim in his Sahih (authentic) Book of Hadith.

The Prophet (peace be upon him) also stated, (That which differentiates us from the Kafirs is our offering of Salah. A person who abandons it becomes a Kafir.) Related by Imam Ahmad and the Four Compilers of Hadith (Imams Abu Dawud, Al-Tirmidhi, Al-Nasa'i and Ibn Majah) with a Sahih Isnad (chain of narrators). There are many Hadiths that carry the same meaning. Accordingly, you should keep away from him and file for divorce from him. You should refer to the court to give you divorce papers. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 19781

Q 2: what is the ruling on marrying the sister of my wife whom I divorced?

A: It is prohibited for you to marry the sister of your divorced wife before the elapse of her `Iddah (woman's prescribed waiting period after divorce or widowhood). This will be the case whether your Talaq (divorce pronounced by a husband) is irrevocable by Khul` (divorce initiated by a wife for a consideration), by a thrice divorce or revocable. When her `Iddah elapses whether by menstruation, if she is one of those who menstruate, by giving birth if she was divorced during pregnancy, by the elapse of three months from marriage if she is in menopause or too young to menstruate, in this case, it will be permissible to marry her sister. It is prohibited to combine between your wife and her sister in marriage while your wife is still in her `Iddah.

Allah says when He mentions the women unlawful to be married, (and two sisters in wedlock at the same time, except for what has already passed; verily, Allâh is Oft-Forgiving, Most Merciful.) May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 20442

Q: My wife had an accident which left her bed-ridden with brain damage. She does not eat, drink, talk, move or control her excretion, but she can listen, see, and understand. (i) Is it permissible for me to marry my wife's widowed sister without divorcing my wife? (ii) If it is obligatory to divorce her before marrying her sister, is it necessary for me to inform her of the divorce which may harm her greatly? If she knows, her condition may worsen.

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(iii) Is it permissible for me to divorce her without informing her and then to keep her at the house as one of my relatives, since she is the mother of my children and the sister of my wife to be. In this case, I will not be her Mahram (spouse) and will deal with her accordingly. Please answer me, and may Allah reward you!

A: Any Muslim who marries a woman is prohibited to marry her sister at the same time based on the general evidence prohibiting this. Allah states: ﴾Forbidden to you (for marriage) are: your mothers﴿ up to: ﴾and two sisters in wedlock at the same time, except for what has already passed﴿ Ibn Al-Mundhir said that Muslim scholars unanimously agreed on the prohibition of marrying two sisters at the same time. Consequently, it is not permissible for you to marry your wife's sister until after you have divorced your wife and she has finished her `Iddah (woman's prescribed waiting period after divorce or widowhood). After that, it is permissible for you to marry the sister and you are no longer Mahram to your ex-wife. It will not be lawful for you to look at her or be alone with her and she will have to cover up in your presence. If you wish to divorce your wife, it is necessary to announce the divorce, whether by official papers or by proclaiming it among people and have witnesses, to ensure

(Part No. 18; Page No. 239)

the rulings and rights guaranteed by Shari`ah (Islamic law). Your wife must be notified that she has been divorced in order that she will know her rights and obligations and deal with you as a non-Mahram, covering up in your presence, never remaining alone with you and treating you accordingly. Out of your kindness you should treat her well, provide for her, and help her in her affairs as the mother of your children and your ex-wife, and you will be rewarded by Allah, in sha'a-Allah (if Allah wills). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 5652

Q: a Muslim married a virgin and then traveled before consummating the marriage to get the rest of the Mahr (mandatory gift to a bride from her groom) and money for other preparations. When he came back to the girl's father, he expressed his desire to marry the girl's younger sister. So the father agreed once he divorced the oldest girl. The man divorced the girl and married her sister the same night. What is the ruling on doing this?

A: If you are engaged but not married to the older sister,

then you decide to marry the younger one, this will be permissible and your marriage contract to her is valid without having to divorce the oldest sister simply because you have not married her. Furthermore, if you have concluded the marriage contract with the older sister without consummating the marriage, it will be permissible for you to divorce her and marry her younger sister at once, as there is no `Iddah for a divorcee whose marriage has not been consummated. Allah states: (O you who believe! When you marry believing women, and then divorce them before you have sexual intercourse with them, no 'Iddah [divorce prescribed period, see (V.65:4)] have you to count in respect of them.) However, if you have concluded the marriage contract with the older sister and consummated the marriage, it will not be permissible for you to marry her younger sister until the older sister's `Iddah ends. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 250

Q: i am married to a woman and i wish to marry her niece (M.M.Q); is she lawful for me to marry?

(Part No. 18; Page No. 241)

A: In case you wish to marry your wife's niece, there is no harm in that after you divorce your wife and after the end of her `Iddah (woman's prescribed waiting period after divorce or widowhood). However, if you want to marry the girl while you are still married to her aunt, this is not permissible, for the Prophet (peace be upon him) stated, ("A woman should not be married together with her paternal aunt or a woman together with her maternal aunt.") (Agreed upon by Al-Bukhari and Muslim). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 1834

Q: i married a woman but we have not agreed with each other after concluding the marriage contract. We have not consummated our marriage because we are not getting on well together. If I divorce her, am I permitted to marry her paternal aunt?

(Part No. 18; Page No. 242)

A: It is permissible for you to marry the paternal aunt of your ex-wife, whether you have consummated your marriage or not, because the Nas (Islamic text from the Qur'an or the Sunnah) pertaining to this issue refers to the prohibition of marrying a woman and her paternal aunt at the same time. However, if you have divorced the niece after consummating your marriage to her, it is Haram (prohibited) for you to conclude your marriage to her aunt until the niece has finished her `Iddah (woman's prescribed waiting period after divorce). If you divorced the niece before consummating the marriage, you are permitted to conclude the marriage contract to her aunt because the former has no `Iddah. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 2070

Q: I married a woman and I want to marry a second wife. She is the granddaughter of the first wife's brother. Is it permissible to have these two wives in wedlock at the same time? If it is impermissible, am I sinful if I divorce the first wife to marry the second one?

A: It is impermissible to have these two wives in wedlock at the same time, as the first wife is the aunt of the second wife's father. In Islam, the aunt of the father is the aunt of his children. It was authentically reported that the Messenger of Allah (peace be upon him) forbade a man to marry

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a woman and her aunt at the same time. However, it is permissible to divorce the first wife and to marry the second one after the `Iddah (woman's prescribed waiting period after divorce) is over. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 3637

Q: My father married my sister to a man who was previously married. He did not divorce his first wife. This wife is still living with him. She is the paternal aunt of our mother. Is it permissible for her to marry that man? Answer my question! May Allah reward you well.

A: It is not permissible for a woman to marry a man who is already married to her aunt. This is reported in authentic Hadiths. Moreover, your mother's aunt is your aunt. Therefore, it is not permissible for a woman to marry a man who is already married to her aunt. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 3923

Q 1: Is it permissible for me to marry the daughter of my cousin knowing that I am already married to my cousin's sister?

(Part No. 18; Page No. 244)

A: It is not permissible for you to be married to the daughter of your cousin and her paternal aunt. (The Prophet (peace be upon him) forbade marrying a woman together with her paternal aunt, or marrying a woman together with her maternal aunt) May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 11696

Q: There are two brothers, one of them had a son who was maintained by his paternal uncle, who gave him his daughter in marriage. This uncle then married another wife, and after he died, the nephew married his uncle's widow after divorcing his cousin. He then married the grand daughter of his uncle together with his uncle's widow. He then knew that the mother of his new wife is the grand niece of his uncle's widow, so he divorced his uncle's widow. Is it permissible for him to stay married to the younger one (the grand niece of his uncle's widow)? Please provide us with a Fatwa. May Allah reward you!

A: If the matter is as you mentioned, and that you married the young one after the old, you should renew the contract made for the young one after the expiry of the `Iddah (woman's prescribed waiting period after divorce or widowhood) of the older woman. This is because the first contract made for the younger one is not valid, as you married her

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while you were still married to her maternal aunt. marrying a woman and her aunt at the same time is impermissible, as it is prohibited by the Shari`ah (Islamic Law). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 17360

Q: The Messenger of Allah (peace be upon him) said: ("Do not combine between a woman and her paternal aunt or between a woman and her maternal aunt.") **(Agreed upon by Al-Bukhari and Muslim) Is it permissible to marry a woman and the mother of her maternal aunt?**

A: If the mother of the wife's maternal aunt happens to be her grandmother, it is not permissible to take her in marriage together with the wife. This is only permissible if the mother of the wife's maternal aunt is not her grandmother; like in the case where the maternal aunt happens to be a paternal sister of the wife's mother. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Marriage of a pregnant woman

The third question of Fatwa no. 14945

Q 3: What is the ruling on a marriage contract of a pregnant woman? Is this contract valid?

A: The `Iddah (woman's prescribed waiting period after divorce or widowhood) of a pregnant woman who is divorced or whose husband died is to stay until she gives birth to her baby. Allah (Exalted be He) says: (And for those who are pregnant (whether they are divorced or their husbands are dead), their 'Iddah (prescribed period) is until they lay down their burden) If a marriage contract is established for a pregnant woman, it will be void. Marriage can not be based on this contract. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 16591

Q 1: is Nikah (concluding a marriage contract/having sexual intercourse) permissible with a pregnant woman? What did the Messenger of Allah (peace be upon him) say about this?

A: If the meaning of the question is: is it possible to conclude a marriage contract with a woman who is pregnant by another man, this is not permissible, as she is still in her 'Iddah (woman's prescribed waiting period after divorce or widowhood). It is not permissible to marry her because Allah (Exalted be He) says (what means):

﴾And do not consummate the marriage until the term prescribed is fulfilled. And know that Allâh knows what is in your minds﴿ He (Glorified be He) also says: ﴾And for those who are pregnant (whether they are divorced or their husbands are dead), their 'Iddah (prescribed period) is until they lay down their burden﴿ If the meaning is: is it permissible for a husband to have intercourse with his pregnant wife, there is nothing wrong with this, because Allah did not make it Haram (prohibited) for a man to have intercourse with his wife, except during the menstrual or postpartum periods, or when in Ihram (ritual state for Hajj and 'Umrah). May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 19012

Q: A husband was absent for a period of time, then he returned from his journey. Upon his return, his wife did not come back to her home as she was at her father's house because she was angry with her husband. She continued staying at her father's house until she had three menstrual periods. After her husband had lost hope of her coming back to his home, he divorced her. One month after her divorce, her cousin proposed to her. He said to her father: "I would like to marry your daughter." The father said: "Only one month has passed since her divorce." The suitor said that he was in a hurry because he lives abroad and he was very busy with regard to his children and his first wife.

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The father suggested asking the opinion of a shaykh. They indeed asked a shaykh, who told them that it was permissible for her to marry the suitor and that she was not liable to wait until the end of her `Iddah (woman's prescribed waiting period after divorce or widowhood) because her husband was absent and she did not go to his home and she already had three menstrual periods before she was divorced during her stay at her father's house. Based on this Fatwa (legal opinion issued by a qualified Muslim scholar), she married this person. We would like to know the ruling on this case. What should the new husband do? Should he divorce this woman and leave her to complete the `Iddah and then marry her again? Should they pay Kaffarah (expiation) for that? We would like you to clarify this matter for us. May Allah reward you best!

A: If this divorced woman has married before having three menstrual periods after her divorce, this marriage is Batil (null and void). The divorced woman must have three menstrual periods after being divorced if she desires to remarry. Allah (Exalted be He) says: ﴾And divorced women shall wait (as regards their marriage) for three menstrual periods﴿ Those who do not have menstrual periods due to their young or old age have to wait for three months. Allah (Exalted be He) says: ﴾And those of your women as have passed the age of monthly courses, for them the 'Iddah (prescribed period), if you have doubt (about their periods), is three months; and for those who have no courses [(i.e. they are still immature)﴿ What this shaykh said is invalid. The `Iddah begins from the time of divorce; not from the time of her husband's absence.

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Fatwa no. 18347

Q: Last October a woman filed a lawsuit before the Supreme Court to get a divorce from her husband. On the twenty-second of December, the court summoned the couple for the purpose of reconciling them. The matter ended with the husband agreeing to divorce his wife. Based on the husband's agreement to divorce her as well as her intention to marry another man during the next three months, she asks whether it is permissible for her to remarry knowing that the court has not yet issued the divorce.

A: It is not permissible to marry or even to propose to a woman who is already married or engaged to another person until the marriage is terminated through divorce or the engagement is broken off . Even after the divorce, no proposal is allowed until her `Iddah (woman's prescribed waiting period after divorce or widowhood) is expired. Allah (Exalted be He) says: ﴿And do not consummate the marriage until the term prescribed is fulfilled. And know that Allâh knows what is in your minds﴾

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Fatwa no. 14173

Q: In 1401 A. H. I went to Makkah Al-Mukarramah during Ramadan to perform `Umrah (lesser pilgrimage) and this was the first time for me to go to Makkah. I thus entered the state of Ihram (ritual state for Hajj and `Umrah) when I reached the Miqat (site for entering the ritual state for Hajj and `Umrah), then we reached Al-Bayt Al-Haram (the Sacred Mosque in Makkah). I started to do Tawaf (circumambulation around the Ka`bah) while I was not in Wudu' (ablution). I did so because I was ignorant of the ruling not because of forgetfulness. After we had finished Tawaf one of my companions said: "Let's pray the two Rak`ahs (units of Prayer) of Tawaf." Thereupon I did not know how I could offer Prayer (Salah) while I am not in Wudu'. This situation makes me not forget that I did the Tawaf without being in Wudu'. I then terminated my `Umrah by shortening my hair. However, shortening the hair did not comprise the whole head; I only shortened very few hairs that it was difficult to notice that any shortening was done at all.

On the other hand, in 1402 A. H. I concluded the contract of my marriage and in 1403 A. H. I went to Makkah Al-Mukarramah to perform my second `Umrah. I hope that my second `Umrah is proper though I shortened my hair in the same way I did for the first `Umrah i.e. shortening the hair did not comprise the whole head. This second `Umrah was done in the month of Rajab or Sha`ban; I am not sure. Any way, in 1403 A. H. I consummated my marriage during the month of Dhul-Hijjah.

Afterwards, in 1405 A. H. I went for Hajj with a group of brothers and a shaykh accompanied us. The shaykh, may Allah reward him with the best, would utilize time for teaching us beneficial things. He thus told us that Taharah (ritual purification) is a condition of validity of Tawaf. He mentioned that someone who performs Hajj or `Umrah and does not meet the conditions or Rukns (integrals) thereof leaves Makkah while they are still in Ihram and they then indulge in Mahdhurat-ul-Ihram (forbidden acts during Ihram). The shaykh started to count Mahdhurat-ul-Ihram and he mentioned the conclusion of contracts of marriage as being one of them. I asked him about my Tawaf that I did for my first `Umrah in 1401 A. H. and he answered that such a Tawaf was not sufficient (for a valid `Umrah). I also asked him about the contract of my marriage that was done after I had left Makkah but while I was still in Ihram. He did not answer. He mentioned that he was unable to do so. However, he advised me to ask another shaykh who was neighboring us in Mina at that time. I thus asked that other shaykh about performing Tawaf while not being in Taharah.

Then I asked the concerned shaykh about the ruling on the contract of my marriage that I did while I was in Ihram. The shaykh, may Allah reward him with the best, answered that it is a controversial matter; then he said that I do not have to adopt any measures. Whereupon I stopped inquiring about the matter.

On one of the nights of 1408 A. H. or 1409 A. H.; I am not sure, I was listening to the program of Nur `Ala Al-Darb while I was going to work. Someone asked about breaking their Wudu' while making Tawaf. The shaykh, may Allah reward him with the best, answered that their Tawaf was invalid and that they were still in their Ihram. The shaykh

continued that if they indulged in any of Mahdhurat-ul-Ihram,

they would have to offer a sacrifice. The shaykh mentioned that contracts which are done by a person in Ihram are invalid whether such a person concludes the concerned contract for themselves or on behalf of somebody else. It is worth mentioning that the guest of that episode was mostly his Eminence Dr. Shaykh Salih Al-Fawzan. Moreover, I read several books which all mention that Taharah from major and minor ritual impurity is a condition of validity of Tawaf and that marriage contracts which are concluded by persons in Ihram are invalid.

Besides, during the month of Dhul-Hijjah in 1410 A. H. I visited the Office of Daw`ah and Guidance in Tabuk. I thus got some books including a book by your Eminence entitled Important Fatwas relating to Hajj and `Umrah. One of the questions which are included in the book mentioned above is whether Taharah is necessary for Tawaf and Sa`y (going between Safa and Marwah during Hajj). Your Eminence answered that Taharah is necessary for Tawaf only. Dear shaykh! I have been confused and distressed since I read the book mentioned above. I hope that Allah enables your Eminence to guide me to the more proper and precautionary ruling on this whole matter. My questions are: 1- Is it a valid Tawaf; the one I did without being in Taharah for my first `Umrah in 1401 A. H. during Ramadan and is such `Umrah valid? 2- In case that the Tawaf mentioned above is not sufficient, does this mean that I left Makkah while I was in Ihram?

3- In case that I left Makkah after doing my first `Umrah during Ramadan in 1401 A. H. while I was in Ihram, this means that I concluded the contract of my marriage while I was in Ihram. Is such a marriage contract valid? It is noteworthy that I performed my second `Umrah after I had concluded the contract of my marriage i.e. the concerned marriage contract took place between the first `Umrah and the second one. I adjure you by Allah to guide me to the more proper and precautionary ruling on this problem of mine. May Allah reward you with the best for benefiting Islam and Muslims.

A: Firstly: Your first `Umrah was not completed and you remained in a state of Ihram after it. This is because you made Tawaf while you were not in Taharah and the latter is one of conditions of validity of Tawaf. **Secondly:** Since the contract of your marriage took place while you were in Ihram, it is considered invalid for marriage contracts of people in Ihram for Hajj or `Umrah are invalid. Proof for the foregoing is a Hadith in which the Prophet (peace be upon him) said: ﴾A Muhrim (a pilgrim in the state of Ihram) should not marry, or give in marriage, or betroth.﴿ (Related by Muslim in his Sahih (authentic) Book of Hadith). **Thirdly:** You do not have to offer any Fidyah (ransom) for concluding the contract of your marriage, putting on

Makhit (clothes sewn to fit body limbs), covering the head, cutting the hair, trimming the nails, or applying perfume while you were in Ihram. **Fourthly:** The second `Umrah that you performed in Rajab or Sha`ban in 1403 A. H. is sufficient for making Tahallul (removal of the ritual state for Hajj and `Umrah) from your first `Umrah. **Fifthly:** Since the consummation of your marriage was based on an invalid contract of marriage, you have to stop the marital relationship with your wife until you renew the contract of your marriage. However, your children that you had from this marriage until this Fatwa reaches you are your Shar`y (Islamic legal) children because you had a suspected

marriage as you were ignorant of the ruling on the matter. If your wife is pregnant at the time you receive the Fatwa, her baby will be legitimate and ascribed to you as well. **Sixthly:** Because you did not do the Shar`y shortening for your second `Umrah, you have to make a Fidyah (ransom) in the form of a sacrifice to be slaughtered at Makkah and distributed amongst the Faqirs (poor people) of Al-Haram (the Sacred Mosque in Makkah). Doing so is to make you blameless and precautious with regard to matters of your `Ibadah (worship). It will also make you avoid the differences of some scholars. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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(Part No. 18; Page No. 255)

Marrying more than four wives

Fatwa no. 1294

Q: What is the ruling on having more than four wives at the same time? Please quote the proofs for your answer for we are in dire need for your guidance in this regard.

A: It is permissible for a man to have up to four wives at the same time provided that he is sure that he will be able to do justice to all his wives and that he will not do injustice to any of them. However, it is Haram (prohibited) for a man to marry more than four wives at once. There are proofs for this from the Qur'an, Sunnah (whatever is reported from the Prophet) and Ijma` (consensus of scholars). Proof from the Qur'an is that Allah (Exalted be He) says, ﴿And if you fear that you shall not be able to deal justly with the orphan-girls, then marry (other) women of your choice, two or three, or four; but if you fear that you shall not be able to deal justly (with them), then only one or (the slaves) that your right hands possess.﴾ Thus, Allah (Exalted be He) permits whomever likes to marry more than one wife to marry two, three, or four wives as he wishes provided that he does not fear injustice. Allah (Exalted be He) does not permit a man to marry more than four wives. Since the original ruling regarding sexual relationships is that they are unlawful, they only become lawful within the limits that Allah states and permits. In other words, since Allah only permits a man to marry up to four wives at once; original unlawfulness

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applies to whatever is more than this. To quote proofs from the Sunnah we may refer to a Hadith that is related by Abu Dawud and Ibn Majah on the authority of Qays ibn Al-Harith who said, ﴿When I embraced Islam, I was married to eight women. I went to the Prophet (peace be upon him) and informed him about the matter, then he (peace be upon him) ordered me to choose only four of them.﴾ Another proof from Sunnah is the Hadith that is related by Ahmad, Al-Tirmidhy, and Ibn Majah on the authority of `Abdullah ibn `Umar who said, ﴿When Ghaylan Al-Thaqafy embraced Islam, he was married to ten women. The Prophet (peace be upon him) instructed him to choose only four women from among them.﴾ (The foregoing Hadith is also related by Ibn Hibban and Al-Hakim who graded it as Sahih (authentic)). Moreover, there is a verbal and practical Ijma` of the Sahabah (Companions of the Prophet), the Four Imams (Abu Hanifah, Malik, Al-Shafi`y, and Ahmad), and the rest of Ahl-ul-Sunnah wal-Jama`ah (those adhering to the Sunnah and the Muslim main body) to the effect that it is impermissible for a man other than the Prophet (peace be upon him) to marry more

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than four wives at once. Whoever violates this opposes Qur'an and Sunnah. May Allah grant us

success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question Fatwa no. 2757

Q 1: there is a man who is married to five wives; should he be stoned or not? What is the ruling on his children of the fifth wife; will they be considered illegitimate children or not?

A: The legal proofs indicate that no one other than the Prophet (peace be upon him) is permitted to marry more than four wives according to the majority of scholars. The only exception in this regard is the opinion of Shi`ah which should not be taken into account as long as it contradicts the opinion of Ahl-ul-Sunnah wal-Jama`ah (those adhering to the Sunnah and the Muslim main body). As for the ruling on a person who does so and the ruling on the children born by the fifth wife, it should be issued by the legal judge. He should issue the ruling according to Shari`ah and according to the knowledge, case and status of those who do so.

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The second question of Fatwa no. 4225

Q 2: is it permissible for an elderly woman who no longer has a desire for marriage to marry a man who has four other wives with the intention of being provided for? Can she be considered a fifth wife, thus becoming impermissible?

A: It is impermissible for a Muslim to marry a fifth wife, whether she has or not any desire to marry. There are legal proofs mentioned in this regard. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The eighth question of Fatwa no. 6759

Q 8: a person has four wives. Is he permitted to marry a fifth wife if one of the four wives is sick or old and does not need a husband

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or this is not permissible?

A: It is Haram (prohibited) for him to marry a fifth wife as long as he is already married to four, even if one of them is chronically ill or past child-bearing age. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 7536

Q 3: what is the ruling on a Muslim man marrying five women? If he divorces one of them, is it permissible that she stays with him and travels with him everywhere along with the other four wives?

A: It is impermissible for a Muslim man to have more than four wives under his bond of marriage as there are many evidences to this effect. If the one that is divorced is the last one in chronological marriage order, divorcing her will be sufficient. Otherwise, the last woman you married, i.e. the fifth wife, is to be divorced. You are not a Mahram (unmarriageable relative or spouse) to the woman you divorced, for you contracted her marriage after having four wives.

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Fatwa no. 19377

Q: A man in Abyssinia called (...) started to call people to true Tawhid (monotheism) and fighting superstitions. He holds lesson circles especially in the field of Hadith. In fact, he became influential and achieved great success in his call to Tawhid that his followers grew much in number here and there. Your Eminence, he recently did some things that may not be overlooked, including:

He deems it permissible for a man to marry five wives and up to nine, seeking support of his claim in the fact that the Prophet (peace be upon him) married nine women and thus set an example for us. Moreover, he judged the Hadith stating that the Companion, who, on converting to Islam, had ten wives, was ordered to divorce six of them, to be Da`if (weak).

A: The view of the man mentioned above regarding the issues you mentioned is an evident mistake that contradicts the Qur'an, Sunnah and scholars' consensus. Thus, he has to reconsider his situation and return to the truth and the right position. We ask Allah (Exalted be He) to guide him to do so.

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It is impermissible for a Muslim man to marry more than four wives. Allah (Exalted be He) said, (then marry (other) women of your choice, two or three, or four) Accordingly, it is impermissible to marry women more than the number limit set by Allah, i.e. four women. This is supported by the fact that the Prophet (peace be upon him) ordered the man who, on converting to Islam, had ten wives, to choose four from among them and leave the other six. Actually, this is agreed upon unanimously by all scholars whose opinions are considered. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Salih ibn Fawzan Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 13419

Q: Sometimes in Ghana a man marries a woman, but when she grows old, he keeps her in the house with her children and looks after them, but does not have sexual intercourse with her. He then marries another woman and has more than one wife. However, he counts among his four wives only those with whom he has sexual intercourse. Is this in agreement with the Shari'ah (Islamic law)?

A: It is not permissible for a man to be married to more than four wives at the same time.

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As Allah (Exalted be He) says: ﴾then marry (other) women of your choice, two or three, or four﴿ Two or three or four means that if a man wants to marry two women he can do that, if he wants to marry three women he can do that, and if he wants to marry four women he can do that also. However, he may not marry more than four as that involves exceeding the limit set by the glorious Ayah (Qur'anic verse). It is authentically reported that ﴾The Prophet (peace be upon him) ordered Ghaylan, who, on converting to Islam, had ten wives, to choose four of them and divorce the others.﴿ The Ummah (nation based on one creed) is unanimously agreed that marrying a fifth wife is Haram (prohibited). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 10739

Q 1: Allah states in Surah Al-Nisa', ﴾And if you fear that you shall not be able to deal justly with the orphan-girls then marry (other) women of your choice, two or three, or four; but if you fear that you shall not be able to deal justly (with them), then only one or (the slaves) that your right hands possess. That is nearer to prevent you from doing injustice.﴿ **Allah spoke the Truth. Based on this Ayah, some people claim that**

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according to one Madh-hab (School of Jurisprudence) a Muslim is allowed to marry nine wives at the same time. I heard someone who pretends to have knowledge saying that it is permissible for a man to marry nine wives at the same time.

A: The Ayah in which Allah states, ﴾then marry (other) women of your choice, two or three, or four﴿ means that a man is permitted to marry one, two, three or four wives. The phrase ﴾two or three, or four﴿ indicates that he may have this number of wives at the same time. according to Ijma` (consensus of scholars), a Muslim man is not to marry more than four women. Permissibility to marry more than four wives was a special exception for the Prophet. The following proof affirms that marrying more than four wives is Haram (prohibited) and impermissible. In his Sunan, Abu Dawud narrated on the authority of Qays ibn Al-Harith who said, ﴾When I embraced Islam, I had eight wives. I went to the Prophet (peace be upon him) and informed him about that matter, then he (peace be upon him) ordered me to choose only four of them.﴿ Moreover, Ibn `Umar (may Allah be pleased with both of them) narrated ﴾ Ghaylan ibn Salamah had ten wives in wedlock at the same time who embraced Islam with him. The Prophet (peace be upon him) ordered him to keep four of them and divorce the rest.﴿ (Related by Al-Nasa'y). In his explanation of impermissibility for a man to marry more than four wives at the same time, Ibn Kathir

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(may Allah have mercy on him) used the Hadith of Ghaylan as a proof. Had it been allowed for men to marry more than four women at the same time, the Prophet would have allowed Ghaylan to keep more than four of his wives since they all embraced Islam with him. When the Prophet commanded him to keep only four of them and divorce the rest, this indicated that men are not allowed to keep more than four wives at a time under any circumstances. If this was the case concerning those who already had more than four wives upon embracing Islam, then this ruling applies even more so to marrying more than four. Allah (Glorified be He) knows best. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman

`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The Marriage of a Muslim Woman to a Kafir

Fatwa no. 13504

Q: I am an Arab Muslim woman married to an American Muslim. We have three daughters and a son and all of them are practicing Muslims, Alhamdu lillah (all praise is due to Allah). A long time ago, my eldest daughter joined the military academy where she met a man and married him without our knowledge. They now have a four month old daughter.

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This man is not a Muslim. After my daughter left the academy, she came to live in our city. After knowing about her marriage, we were so angry and I decided not to talk to her for she did not discuss her marriage with me. However, I ultimately did and told her that her husband must embrace Islam. She said she has tried with him and he refuses because of his family and because what he knows about Islam and Muslims does not encourage him to become a Muslim. My daughter seems to be unhappy with him as a husband and the father of her daughter. I am sad because he is not a Muslim. Should I ask him to divorce her although he will take my grand-daughter who will not be brought up according to Islam? Should I treat him kindly so that perhaps Allah will guide him to Islam? How long should I try with him as this may take a long time?

Please, advise. May Allah reward you.

A: It is not permissible for a Muslim woman to marry a Kafir (disbeliever). Allah (Exalted be He) states:

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﴾And give not (your daughters) in marriage to Al-Mushrikûn till they believe (in Allâh Alone)﴿ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 13385

Q: The questioner says: my mother got married to a non-muslim person since 1967 A.D. My age at that time was five years old. I have been asking my step-father since 1986 A.D. to embrace Islam but he does not want to while my mother is eager to embrace Islam. Before 1981 my mother begot any children, but later she begot five children from this man. Should my mother abandon her husband in order to practice the rituals of Islam? Should she marry a Muslim man? Should she stay with her non-Muslim husband and practice the rituals of Islam? What should she do according to the Islamic Shari`ah? It is worth mentioning that my mother and I live in two separate places far from one another and she is 46 years old.

A: Your mother has to part with this non-Muslim man

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and she should marry another Muslim man. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 15833

Q 1: When a problem arises between my husband and I, he starts to curse Islam. As a practicing Muslim, I advised him many times but to no avail. What should I do? Do I have to ask for a divorce or try to reform him?

A: Cursing Islam is considered an act of Riddah (apostasy). Such a person is required to make Tawbah (repentance to Allah). If he repents there is no harm on him; otherwise he will be killed for Riddah. It is not permissible for his wife to stay with him until he has made sincere Tawbah to Allah (Exalted be He). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu Zayd	\`Abdul-\`Aziz Al Al-Shaykh	Salih Al-Fawzan	\`Abdullah ibn Ghudayyan	\`Abdul-\`Aziz ibn \`Abdullah ibn Baz

Fatwa no. 16041

Q: First, I am a twenty-year-old student whom Allah (Exalted be He) has favored with

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knowing Tawhid (belief in the Oneness of Allah) after being ignorant of it. Most of my family and relatives - if not all of them - still live in the deviations of Shirk (associating others with Allah in His Divinity or worship) and belief in the shaykhs of Sufism, whether they are living but absent, or dead. They ask the shaykhs to cure the sick and fulfill their needs, and offer them sacrificial animals and vows. Even more, they fear them and dedicate all these acts of worship to them. However, they perform Salah (Prayer) and Hajj (pilgrimage) and observe Sawm (Fast) and pay Zakah (obligatory charity). I know that all the good deeds of a Mushrik (one who associates others with Allah in His Divinity or worship) are in vain, even if they perform Salah, observe Sawm, and claim to be Muslims. Allah (Exalted be He) says: ﴿If you join others in worship with Allâh, (then) surely (all) your deeds will be in vain, and you will certainly be among the losers.﴾ Allah's Bounty and Guidance has led me to know Tawhid, in addition to the Qur'an Radio Station in Saudi Arabia, then the books which were brought to me from there. However since then, my family and relatives have been disapproving of this. They describe me as an atheist, a Wahhabi, or a strict follower of the Sunnah (whatever is reported from the Prophet). I do not pay attention to such descriptions and say that

if they claim that the follower of the Prophet is Wahhabi

then I admit that I am Wahhabi.

I have told them that their deeds are counted as major Shirk (associating others with Allah in His Divinity or worship), that takes the one who does them out of Islam. However, they always ignore my advice and turn away from me. When I sometimes try to convince them, they keep relating stories about their shaykhs which they consider Karamah (an extraordinary event performed by a pious person). For example, they told me that a woman in their village remained barren for almost ten years and when she consulted a shaykh, he ordered to detain her in a place. He made some Najdat for her (a sort of talisman taking the form of papers on which strange words,

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symbols, and numbers are written and placed on fire, then the woman would be ordered to inhale the smoke) and Mahaya (another sort of talisman represented in strange words and symbols written on a wooden board which is washed by water and the woman drinks the water). After this, the woman became pregnant and gave birth to a baby boy. I am totally certain that Allah is the One Who gives children to whom He wills. Allah says: ﴿He bestows female (offspring) upon whom He wills, and bestows male (offspring) upon whom He wills.﴾ ﴿Or He bestows both males and females, and He renders barren whom He wills.﴾ Nevertheless, when I argue with them they tell me, "Has not so-and-so gone to the

shaykh and given birth?" and I cannot refute these claims. All I know is that what they and their shaykhs are doing is Batil (null and void) and Shirk, but I cannot explain the deeds of these shaykhs. I am waiting for an answer. May Allah reward you the best!

Second, whoever obeys the Messenger (peace be upon him) and believes in the Oneness of Allah is not permitted to befriend those who defy Allah and His Messenger even if they are their closest relatives. Allah (Exalted be He) says: ﴾ You (O Muhammad صلى الله عليه وسلم) will not find any people who believe in Allâh and the Last Day, making friendship with those who oppose Allâh and His Messenger (Muhammad صلى الله عليه وسلم), even though they were their fathers or their sons or their brothers or their kindred (people). For such He has written Faith in their hearts, and strengthened them with Rûh (proofs, light and true guidance) from Himself.﴿ **After reciting this Ayah (Qur'anic verse), I have parted company with my family and relatives because they dedicate worship to other than Allah (Exalted be He). They are upset with me even though they know that I have done this because of what they are doing. Am I right for parting company with them or would this be considered as severing the ties of kinship since they are my relatives (paternal and maternal aunts,**

paternal and maternal uncles, my parents' paternal uncles, and my grandfathers and their descendants)? I have not been in their company for two years. What should I do? Please guide me. May Allah reward you the best!

The last question is the fearful obsession that a person may propose to me while he is unobservant of Tawhid and it is not permissible for a Muslim woman to marry a Mushrik. I also fear that my father would accept such a suitor and I may be forced to marry him, even though I refuse him because of not observing Tawhid. I am greatly confused. What should I do? Please, guide me. May Allah reward you the best!

A: First, you should thank Allah (Exalted be He) for guiding you to Al-Haqq (the Truth) and for enlightening you with it and ask Him to make you steadfast in it. **Second,** a barren woman being pregnant after taking the talismans is related to predestination. The soothsayer has nothing to do with her pregnancy or delivery. **Third,** what you did with your Mushrik relatives is not severing the ties of kinship. Rather, it is concern for the sake of Allah (Exalted be He) and an act of denouncing Munkar (that which is unacceptable or disapproved of by Islamic law and Muslims of sound intellect), may Allah double your reward for this. However, you are permitted to keep company with your family to guide them to Allah (Exalted be He) and to the good, only if you hope that this would be of avail and would not cause you harm. This is because Allah (Glorified be He) says: ﴾Invite (mankind, O Muhammad صلى الله عليه و سلم) to the Way of your Lord (i.e. Islâm) with wisdom (i.e. with the Divine Revelation and the Qur'ân) and fair preaching, and argue with them in a way that is better.﴿

The Prophet (peace be upon him) said: ﴾The one who guides to something good has a reward similar to that of its doer.﴿ Related by Muslim in his Sahih Book of Hadith. **Fourth,** you are not permitted to marry a person who commits acts of Shirk, because Allah (Exalted be He) says: ﴾And give not (your daughters) in marriage to Al-Mushrikûn till they believe (in Allâh Alone)﴿ Allah (Glorified be He) also says: ﴾They are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them.﴿ (Surah Al-Mumtahinah). You are not permitted to obey your father or anyone else regarding this matter, because the Prophet (peace be upon him) said: ﴾Submission is obligatory only in what is good (and reasonable).﴿ ﴾There is no submission in matters involving

disobedience to Allah.) May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 5729

Q 1: How can a man marry a bondwoman from the People of the Book? What is meant by the statement "a master may have intercourse with his bondwomen? Please explain how the Prophet (peace be upon him) married

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Mariyah Al-Qibtiyyah. Can she be given the title of the Mother of the Believers? What is meant by taking a woman as concubine?

A: It is impermissible for a man to marry a bondwoman except when he can not afford the Mahr (dowry given to the bride by the groom) given to a free, chaste and believing woman. In such case, he is allowed to marry a chaste believing bondwoman after asking her master's permission. He, however, is neither allowed to marry a Kafir slave, whether she is from the People of the Book or not, nor an unchaste female slave. Allah (Exalted be He) states, ﴾And whoever of you have not the means wherewith to wed free, believing women, they may wed believing girls from among those (slaves) whom your right hands possess, and Allâh has full knowledge about your Faith; you are one from another. Wed them with the permission of their own folk (guardians, Auliyâ' or masters) and give them their Mahr according to what is reasonable; they (the above said captive and slave-girls) should be chaste, not committing illegal sex, nor taking boy-friends. And after they have been taken in wedlock, if they commit illegal sexual intercourse﴿ A Muslim is permitted intimacy with a bondwoman whom his right hand possesses without concluding a marriage contract. Allah (Exalted be He) states when praising the successful believers, ﴾And those who guard their chastity (i.e. private parts, from illegal sexual acts)﴿ ﴾Except from their wives or (the slaves) that their right hands possess, - for then, they are free from blame;﴿ The Messenger of Allah (peace be upon him) was intimate with his concubine Mariyah Al-Qibtiyyah who bore him his son

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Ibrahim. She cannot be considered one of his wives nor be given the title of the Mother of the Believers. Taking a woman as concubine means in Islam that the master is allowed intimacy with his bondwoman, whether she bears him a son or not, as is done with his wife. The Prophet (peace be upon him) did so with Mariyah Al-Qibtiyyah. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The ninth question of Fatwa no. 7774

Q 9: What is your opinion concerning a woman who married a man from the People of the Book (a Christian or a Jew). Would her marriage contract be valid if her husband embraces Islam many years after they got married, once he pronounces the Shahadah (Testimony of Faith)?

A: marriage between a man from the People of the Book and a muslim woman is not permissible. Their marriage contract is not Shar`y (Islamically lawful). If he embraces Islam and the couple agree to get married, he is to contract a Shar`y marriage, meeting its main pillars, terms and conditions, and the contract should be free from any impediments. May Allah grant us success! May peace and blessings be upon our Prophet, his family and Companions.

The Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

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Fatwa no. 9304

Q:A few days ago, we had a question and we did not know what we should do concerning it. We have differed concerning this point. We will be satisfied with your judgment in this regard as it is according to the judgment of Allah (Exalted be He) and His Messenger. The issue is that we have a Muslim woman who married a Christian. This marriage lasted for 15 years and she gave birth to Christian children. The one who told us this story says that he married this person because she committed adultery with him and he promised her that he would embrace Islam. However, he did not do that. Her family renounced her and severed their ties with her. She is asking if she has a chance to repent. She says that despite all these things, she used to perform Salah (Prayer) secretly. What is the ruling on this woman in Islam, and during these days when Shari`ah (Islamic Law) is not applied? Should we accept or renounce her?

A: It is not permissible for a Muslim woman to marry a disbeliever. They have to be separated. Allah (Exalted be He) says: (And give not (your daughters) in marriage to Al-Mushrikûn till they believe (in Allâh Alone)) Moreover, she has to repent to Allah (Glorified be He) and be sorry for what she has done. She also has to be determined not to return to doing that again.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa no. 10634

Q 2: A Muslim man proposed to a girl. He knew that she is a Muslim and belongs to a Muslim family. But this girl was a communist even though she wears the veil. Neither he nor her family knew about this. This young man heard that she had been embracing communism but did not believe that. They celebrated the wedding and he is trying to ignore what he heard about her, despite we know that marrying a women who embrace communism is Haram (prohibited). What is your advice in this regard?

A: It is permissible for a Muslim man to marry Muslim women and women of People of the Scriptures. But it is not permissible for him to marry women following other non-heavenly religions. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 17848

All Praise is due to Allah Alone and peace and blessings be upon the last Prophet. To commence: After the Permanent Committee for Scholarly Research and Ifta' studied the letter sent to his Eminence, the General Mufti from his Eminence, the Manager of the Center of Da`wah and Guidance in Jeddah No. 310 / 9 / c on 23 / 3 / 1416 A.H., which is referred to the Committee from the Secretariat General of the Council of Senior Scholars no. 1596 on 3 / 4 / 1416 A.H., which states: The question reads as follows:

We have received a letter from a Bosnian Muslim woman who mentioned that she was married to a Christian man before the breaking out of war in their country. Later, they separated and she had three children from him.

Her question is: What is the ruling on those children; to whom should they be ascribed and on what religion should they be brought up?

She asked that the Fatwa be issued in written form to be applicable to the similar cases of Bosnian women who married Christian men, had children from them and separated after the breaking out of war. May Allah bless your efforts and protect you!

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be with you!).

After the Committee perused the question, the answer comes as follows: It is not lawful for a Muslim woman to marry a non-Muslim, for Allah (Exalted be He) says, (They are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them.)

As for the mentioned children, they will be ascribed to their fathers, bearing in mind the marriage contract that the parties deemed effective at the time of conclusion (though it is not in reality). As for the children's religion, they should follow the best religion of their parents'. The children, whom one of their parents is Muslim, should be considered Muslims, so the mentioned children will be ascribed to their Muslim mother [in terms of religion]. The same will be the ruling concerning other Muslim women. All people should fear Allah, adhere to His commands and be careful not to marry Muslim women to non-Muslims. Allah (Exalted be He) says, (And give not (your daughters) in marriage to Al-Mushrikûn till they believe (in Allâh Alone) and verily, a believing slave is better than a (free) Mushrik (idolater), even though he pleases you.) May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman

Bakr ibn `Abdullah Abu Zayd	`Abdullah ibn `Abdul-`Aziz ibn `Abdullah Al Al-Shaykh	Salih ibn Fawzan Al-Fawzan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 18063

Praise be to Allah Alone. May peace and blessings be upon the seal of the Prophets. To continue:

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The Permanent Committee for Scholarly Research and Ifta' has read the letter sent by His Excellency Assistant Secretary General of the Muslim World League to His Eminence the general Mufti bearing the number (78 / 7442) dated 22/5/1416 A.H. referred to the Committee by the General Secretariat of Senior Scholars' Association No. (2592) dated 30/5/1416 A.H., the letter of His Excellency states:

"It is my pleasure to inform Your Eminence that the Muslim World League has received a letter at its office in Paris reporting that Shaykh Dalil Abu Bakr, head of Paris Masjid (mosque) delivered statements to the Télérama French Magazine, issue (2370) on 14/6/1995 whereby he declared that the Jews and Christians are not Kafirs (disbelievers) and that they are following the Straight Path. He also permitted a Muslim woman to marry a Jew or a Christian and supported his view with the claim that the Qur'an did not speak about the prohibition of such marriages and that the prohibition has been forged by Muslim Fuqaha' (jurists) on account of regarding the Jews and Christians as Kafirs."

The letter also stated: Two years ago Al-Azhar Al-Sharif in Egypt published an article about Dalil in which he was described as being one of the Muslim scholars in France. Attaching much importance to him made him issue Fatwas without knowledge.

Due to the seriousness of the situation as this gives the go ahead for Muslim women to fall into the traps of the Jews and Christians, and in fulfillment of the Muslim League's desire

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to enlighten Muslim women about matters related to their religion and warn them against the evil consequences of marrying Jewish or Christian husbands,

the Muslim World League hopes that Your Eminence will kindly issue a secondary fatwa regarding this serious issue in the light of which the League will take the necessary procedures.

After a close study of the inquiry, the Committee gave the following reply: muslim scholars have unanimously agreed that it is unlawful for a muslim woman to marry a Kafir, whether he is a pagan, a Jew or a Christian. This unanimous agreement is based on decisive textual evidence found in the Qur'an on the prohibition of such marriages. Allah (Exalted be He) says: ﴾And do not marry Al-Mushrikât (idolatresses, etc.) till they believe (worship Allâh Alone). And indeed a slave woman who believes is better than a (free) Mushrikah (idolatress), even though she pleases you. And give not (your daughters) in marriage to Al-Mushrikûn till they believe (in Allâh Alone) and verily, a believing slave is better than a (free) Mushrik (idolater), even though he pleases you.﴿ Allah (Exalted be He)

also says: (They are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them.) No true Mu'min (believer) would issue such a false fatwa whereby he refuses to declare the Jews and Christians as Kafirs ...etc,

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Being skeptical about the Kufr (disbelief) of the Jews and Christians renders one as a Kafir as one will be denying Allah's words in this regard. Allah (Glorified be He) says: (Those who disbelieve from among the people of the Scripture (Jews and Christians) and Al-Mushrikûn, were not going to leave (their disbelief) until there came to them clear evidence.) This and other similar Ayahs (Qur'anic verses) definitely indicate the Kufr of the People of the Book, namely the Jews and Christians. Three major sins have been contained in the above-mentioned fatwa: 1- Belying Allah's words about the Jews and Christians. 2- Violating Ijma` (consensus of scholars) of Muslims which is based on decisive evidence derived from the Qur'an. 3- Unjustifiably accusing the Muslim Fuqaha' of inventing rulings of their own accord. These are held as slanderous accusations in the sight of Allah (Exalted be He), the most grave of which is belying His words. We ask Allah (Exalted be He) to grant us security from this. Accordingly, the fatwa issued by that man has to be falsified as it contains words of Kufr. The man who issued that fatwa has to be declared as an erring person who should be advised that perhaps Allah (Exalted be He) will guide him back to the straight path.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 7593

Q: There is a man in Sudan called Mahmud Muhammad Taha who is calling for the Shari'ah (Islamic law) to be developed in accordance with the modern age. He himself does not perform the Salah (Prayer) observed by Muslims, but instead he performs a prayer called "Al-Asalah." It is a special prayer of his own, which he claims to have received from Allah. He also claims that he calls for the Muslims to apply the Prophet's Sunnah (whatever was reported from the Prophet) in his own special way. one of this man's followers proposed to my daughter. Is it permissible for us to accept his proposal and, if this marriage takes place, what is the ruling on it?

A: First: Prophet Muhammad (peace be upon him) is the last of the Messengers (peace be upon them); Allah (Exalted be He) says (what means): ﴾Muhammad (صلى الله عليه وسلم) is not the father of any of your men, but he is the Messenger of Allâh and the last (end) of the Prophets.﴿ The Prophet (peace be upon him) also said, ﴾"There shall be no prophet after me."﴿ Allah (Exalted be He) perfected His Din (religion), completed His Blessings over the Mu'minun (believers), and chose Islam for them as their religion.

The legislation of the Laws of Islam ended by the death of the Messenger of Allah (peace be upon him), so whatever was not passed as a law of religion in his lifetime (peace be upon him) cannot be considered as part of the religion of Islam now. Allah (Exalted be He) says: ﴾This day, I have perfected your religion for you, completed My Favour upon you, and have chosen for you Islâm as your religion.﴿ Therefore anyone who claims to have received any legislation from Allah after Prophet Muhammad, whether regarding Salah or anything else, is a Kafir (disbeliever); and anyone who abandons the Salah deliberately is also considered to be a Kafir. **Second:** If it is confirmed that what you said above concerning this man, Mahmud Taha, is true, he is a Kafir, and anyone who believes in him and follows him in this is also a Kafir. Therefore, it is not permissible for a Muslim man to give his Muslim daughter to any one of these people in marriage under these circumstances. If the marriage takes place, the contract is Batil (null and void) and it is obligatory for their case to be referred to the courts to separate them. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 4019

Q1: A woman says that her husband does not perform Salah (Prayer)

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and rarely performs Friday Prayer, and that he drinks alcohol and takes drugs. When she performs Salah he makes fun of her. is it permissible for her to remain his wife?

A: If the reality of the husband is as mentioned, it is not permissible for his Muslim wife who observes Salah to stay with him; because the husband, by abandoning Salah and making fun of her when she performs Salah, has become a Kafir (disbeliever/non-Muslim). Allah (Exalted be He) says, ﴾then if you ascertain that they are true believers, send them not back to the disbelievers. They are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them.﴿ She has to be separated from him through the legal means that she can follow. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 2739

Q: i am married to my cousin and we have a son, but my wife performs neither Salah (Prayer) nor Sawm (Fast) during Ramadan. I am afraid of being considered as a sinner and I am confused now about this. Please advise me and may Allah reward you with the best.

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A: You have sinned by living with your wife up to now, when she was not performing Salah or Sawm, without exerting real efforts to advise her and deal earnestly with her. If the matter is continuing to the present day, as it was in the past, with her not performing these acts of 'Ibadah (worship), you must exert your best efforts to advise her to perform Salah and Sawm and to adhere to all the other Faridahs (obligatory acts) of Islam. You should seek the Help of Allah and then you should ask anyone from amongst your parents and her parents who are alive, as well as her Mahrams (unmarriageable relatives), to advise her. If she responds to your advice, makes Tawbah (repentance to Allah), and performs Salah, all praise is to Allah, and you should continue living with her and treating her kindly. But if she insists on not performing Salah and Sawm, you should divorce her, and what is in store with Allah will be better for you and it is Allah Alone Who provides help. This is because not performing Salah is Kufr (disbelief) and Riddah (apostasy) from Islam, according to the Hadith in which the Prophet (peace be upon him) said, ("Between a person and Shirk (associating others with Allah in His Divinity or worship) and Kufr is abstaining from Salah.") And, ("The covenant that is between us and them (the hypocrites) is Salah. Anyone who abandons it has committed Kufr.") Allah (Exalted be He) also says (what means): (Likewise hold not the disbelieving women as wives) May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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(Part No. 18; Page No. 285)

Fatwa no. 6379

Q: I had an older brother who died several years ago, leaving both sons and daughters. Two of his sons have grown up and now have families of their own. A man from our community has proposed to one of their sisters, and they came to ask my opinion. I refused the proposal, because not only have I heard about the man, but I am also sure that he does not perform Salah (Prayer) or Sawm (Fast) in Ramadan. After my nephews consulted me and I expressed my disapproval, they kept silent, and they have become set on the matter as they want to accept this man. When I insisted in my objection, they said that they had not found anyone else other than him. They are still hesitant and inclined to accept his proposal. They are, above all, my nephews and nieces and we share common interests, and eat and drink together. Their 'Aqidah (creed) is sound and they perform Salah well enough. If they disobey me and proceeded to give their sister in marriage to this man or his like, what is it obligatory for me to do in the light of the Book and Sunnah? I hope you will give me a written answer to convince them and also myself with what we are obliged to do. Please advise me and may Allah reward you well! Hoping that they will read your Fatwa (legal opinion issued by a qualified Muslim scholar) and be guided to do what is right.

A: Refraining from Salah due to denying its obligation is considered Kufr (disbelief), by Ijma' (consensus of scholars), and refraining due to negligence and laziness is Kufr, according to the sounder of the two opinions maintained by the scholars, because the Prophet (peace be upon him) said:

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("Between a man and Shirk (associating others with Allah in His Divinity or worship) and Kufr is abandoning Salah.") (Related by Imam Muslim in his "Sahih [Book of Authentic Hadith]") He (peace be upon him) also said, ("The covenant that is between us and them (the hypocrites) is Salah. Anyone who abandons it has committed Kufr.") (Related by Imam Ahmad and Ahl-ul-Sunan [Abu Dawud, Al-Tirmidhy, Al-Nasa'y, and Ibn Majah] with a sound Sanad [chain of narrators]) There are other textual proofs that support this also; it is therefore not permissible to give a Muslim woman in marriage to someone who does not perform Salah. Allah (Exalted be He) says (what means), (O you who believe! When believing women come to you as emigrants, examine them; Allâh knows best as to their Faith, then if you ascertain that they are true believers, send them not back to the disbelievers. They are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them.) You have to advise them and clarify the ruling to them. May Allah guide you, them, and us to the right path! May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

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The second and third question of Fatwa no. 8677

Q 2: a man who has abandoned the Salah (prayer) is married to a woman who behaves similarly. What

is the Islamic ruling on this?

A: If they offer Tawbah (repentance) to Allah, maintain their Salah, their marriage will be considered valid, but if only one of them repents, they are to be separated, unless this man repents before the `Iddah (woman's prescribed waiting period after divorce or widowhood) expires.

Q 3: If in such cases the contract has proven to be Batil (null and void), what is the right thing to do?

A: According to the Jumhur (dominant majority of scholars), the deviant amongst them should repent and maintain their Salah, and a new marriage contract is to be concluded if the `Iddah of the woman has expired. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The third question of Fatwa no. 7484

Q 3: What is the ruling on giving help to relatives or non-relatives when they are involved in a car accident or any other misfortune, if they do not perform Salah (Prayer) or Sawm (Fast) during Ramadan? What is the ruling on accepting their help on such occasions? What is the ruling on accepting help from them under these circumstances or eating meat from an animal slaughtered by someone who does not perform Salah?

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What is the ruling on eating meat from an animal slaughtered by someone who performs Salah and Sawm, but visits charlatans and slaughters sacrifices to other than Allah? What is the ruling on marrying someone who does not perform Salah or Sawm, visits charlatans and slaughters sacrifices to other than Allah and what is the ruling on giving a Muslim woman who performs Salah and Sawm in marriage to such a person? Is it permissible for a Muslim who performs Salah and Sawm and fears Allah to marry a Muslim woman who does not perform Salah or Sawm? If such a marriage does take place, what will be the ruling on it and if such a woman makes Tawbah (repentance to Allah), is it necessary to renew the marriage contract? If she insists on remaining as she is, is it obligatory to divorce her even if she is pregnant?

A: First: If it is hoped that by helping those people at the time of crisis they will open their hearts to listen to advice and that they will accept it. And that they might be guided to observe and abide by the rulings of Shari'ah (Islamic law), such as Salah, then good relations can be maintained with them and they can be helped. They should then be guided to Truth and adherence to Salah and other principles of Shari'ah, in the hope that Allah will accept their Tawbah and guide them to the good. The same applies to visiting them and accepting their help. However, if they do not respond and insist on their evil, you should disassociate yourself from them to avoid any causes for Fitnah (temptation away from the right path) and to distance yourself from their evil. **Second:** It is not permissible to eat the meat from an animal slaughtered by a person who intentionally refrains from Salah, even if they do not deny its obligation, according to the sounder of the two opinions maintained by the scholars. This is because they are a Kafir (disbeliever). It is also not permissible to eat meat from an animal slaughtered by soothsayers and charlatans, because they are Kafirs for claiming to know the Ghayb (the Unseen) and sacrificing to the Jinn (creatures created from fire).

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The same applies to those who visit them and believe them or those who slaughter to other than Allah. **Third:** It is not permissible to give a Muslim woman, who is committed to her religion, in marriage to a man who intentionally refrains from Salah or to a charlatan soothsayer, due to the above-mentioned reasons. Nor is it permissible for a Muslim who is committed to his religion to marry a woman who intentionally refrains from Salah. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 2837

Q: My name is (...) from the Eastern Region, the city of Thaqbah. I am 30 years old and have been married to a 24-year-old girl for three years. I tried hard to convince her to perform Salah (Prayer) but she never complied. I am really confused about it and fear to be sinful because of her. She gave birth to a child who is ten-month-old now. She does not observe the obligatory Sawm (fast) Allah ordained for all Muslims either.

A: If she insists on abandoning Salah and Sawm after you have advised her, you must not live with her. Actually, whoever intentionally abandons Salah

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while denying it to be obligatory is a disbeliever according to the unanimous agreement of all scholars. Moreover, whoever abandons it out of negligence and laziness is also judged to be disbeliever according to the sound opinion of scholars. To this effect, the Prophet (peace be upon him) said, (The peak of the matter is Islam; the pillar is Salah; and its topmost part is Jihad (Fighting/Struggling in the Cause of Allah).) He (peace be upon him) also said, (That which differentiates us from the disbelievers and hypocrites is our performance of Salah. He who abandons it, becomes a disbeliever.) This is in addition to many other Hadith in the same regard. We ask Allah to guide her or give you a better wife, for He is All-Hearing and Near. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 15499

Q: I would like to inform you that I rarely performed Salah (Prayer) at the time that I got married. Now, thanks to Allah, I perform Salah, performed Hajj and repented to Allah. However, I do not know the ruling on the marriage contract; is it valid or not? If not, what should I do? Answer me, may Allah reward you, bearing in mind that my wife gave birth to five children.

A: If, at the time of contracting marriage, the wife did not perform Salah like you or was not punctual in performing it, the marriage contract is valid and the marriage does not have to be re-contracted as both of you

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were equal regarding the ruling relating to abandoning Salah, i.e. being disbelievers. If, at the time of contracting the marriage, the woman was punctual in performing Salah, it is obligatory to re-contract marriage according to the more sound of two opinions of scholars, if you want each other. However, repentance for abandoning Salah and punctuality in performing it are inevitable. As for children who came before re-contracting marriage, they are legitimate children whose lineage is attributed to their father bearing in mind that the parties deemed the marriage contract effective at the time of conclusion (though it was not in reality). We ask Allah to bestow righteousness on you and guide you to all good things. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 21516

Q: a man embraced Islam in Saudi Arabia five years ago. His wife is still following Hinduism. They had children. When he is asked about keeping her as a wife, he says that she will embrace Islam. I would like Your Eminence to answer the following questions for me: 1- What is the ruling on this marriage in Shari`ah (Islamic law)? 2- Is this man regarded as a Muslim in Shari`ah? 3- Is it permissible for this man to be alone in seclusion with this woman and to live with her while she is still adhering to this religion?

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4- How long should a person wait for his wife to embrace Islam before divorcing her? What is the ruling on Khulwah (being alone with a member of the opposite sex) and touching this woman? 5- What is the ruling on the children as their father became a Muslim and their mother is still a disbeliever? 6- What will be done if the wife embraces Islam later on? 7- What should we do if this man is unaware of these rulings?

May Allah reward you well!

A: A- If the two disbelieving spouses embrace Islam together, their marriage bond will continue. This is because disbelievers used to embrace Islam along with their wives during the lifetime of the Prophet (peace be upon him) without being asked to separate. B- If one of the disbelieving spouses embraces Islam, they have to be separated from each other. If the other person embraces Islam during the period of `Iddah (woman's prescribed waiting period after divorce or widowhood), their marriage bond will not be violated. However, if the `Iddah is over before the other party embraces Islam, the marriage bond will come to an end. Allah (Exalted be He) says: ﴾then if you ascertain that they are true believers, send them not back to the disbelievers. They are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them.﴿ to ﴾Likewise hold not the disbelieving women as wives﴿ C- Any children who are born to these disbelieving spouses will be ascribed to them if they were born before their parents embraced Islam.

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The children who were born after their father embraced Islam while their mother is still a disbeliever will not be ascribed to their fathers. The marriage bond is severed if the husband embraces Islam and his wife is still a disbeliever until `Iddah is over. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Bakr ibn `Abdullah Abu Zayd	Salih ibn Fawzan Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh

The third question of Fatwa no. 15931

Q 3: my brother-in-law only performs Salah (Prayer) during Ramadan. I love him because he is a kind man, but I do not love him because he does not perform Salah. I have no authority at home to criticize him, because he is a stubborn man, and my father respects him a lot. I know the ruling on this marriage; that it is Batil (null and void), but my family is not aware of this. They mock me and other Multazims (practicing Muslims), and I have no authority to object to this. What shall I do? Please advise me and may Allah reward you with the best!

A: If you mean that this man does not offer Salah at all, it is not permissible to marry him to a Muslim woman, based on the saying of Allah (Exalted be He): ﴿And give not (your daughters) in marriage to Al-Mushrikûn till they believe (in Allâh Alone)﴾ And His saying: ﴿then if you ascertain that they are true believers, send them not back to the disbelievers. They are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them.﴾

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As for you, you should advise the man, hoping that he might make Tawbah (repentance to Allah). If he does so, the marriage contract should be renewed. Your sister also should not allow him to be intimate with her until he makes Tawbah and renews the contract. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 21281

Q: I am a young man aged 27. I have committed many sins. Since I reached the age of puberty, I seldom offer Salah (Prayer). I got married eight years ago. I did not observe Salah before marriage or after it. When I married, it was a month before Ramadan. During the month of Ramadan, I had sexual intercourse with my wife on six separate days but my wife was reluctant to do so. It should be noted that she observes Salah. We had our children while I was still negligent of most of the Salahs except Friday Prayer. Now, Praise be to Allah, I am following

the right path of Allah (Exalted be He) and have abandoned sins such as smoking, listening to songs, playing forbidden games, and so on. I also keep up the five obligatory Prayers in the Masjid (mosque) in congregation. I will not abandon Prayer for the rest of my life In sha'a-Allah (if Allah wills). Since I am serious about purifying my soul, I would like to ask about issues such as: First, was my marriage contract with my wife invalid because I did not offer Salah at that time? If so, what should I do? Second, what about the children I had from my wife during that period? Third, should my wife offer Kaffarah (expiation) for having intercourse with me even though she was unwilling and did not know the ruling or punishment for doing so? She thought she was just required to make up for these days? Fourth, I had sexual intercourse with her six times on different days in Ramadan. Do I have to make Kaffarah (expiation) even though I did not use to offer Salah at that time? If I have to offer Kaffarah, will it be sufficient for me to offer it one time for all the days I missed or do I have to offer a Kaffarah for each single day? I appreciate your advice! May Allah reward you best!

A: If the reality is as mentioned, that when you concluded your marriage contract with your wife, you used to intentionally abandon Salah while your wife used to offer Salah, your marriage contract is invalid; because it is a marriage contract between a Kafir (disbeliever/non-Muslim) with a Muslim woman. Allah (Exalted be He) says, ﴿then if you ascertain that they are true believers, send them not back to the disbelievers. They are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them.﴾

The children you had during this period are related to you because you had them on the assumption that your marriage contract was valid. **Second,** by your repentance to Allah (Exalted be He) and observing Salah, you have professed Islam once again. So, you have to renew the marriage contract in the legal way. **Third,** your wife has to make up for the days during which she had intercourse with you. She also has to feed a needy person for each missed day if the following Ramadan goes by before she makes up for them. Furthermore, she has to make Kaffarah (expiation), namely freeing a Muslim slave, for each day on which you had intercourse during Ramadan. If she is unable to do so, she has to fast two consecutive months for each missed day. If she is unable to do so, she has to feed sixty needy people by providing them with half a Sa` of food for each missed day, approx. a kilo

and half for each needy person. As for you, you have to repent to Allah (Exalted be He) for what you have done, however, you do not have to offer Kaffarah (expiation); because during that period you were not a Muslim as we mentioned.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 17908

Q: is it permissible for me to get married to a man who was not Muslim then professed islam? I was the reason behind his professing Islam, but I believe it is Allah Who guides whomever He wills and it is not I who gives guidance. This man tells me that even if we do not marry he will keep professing Islam and will never return to Christianity. Is it permissible for me to get married to him? If it is permissible, what should I do before I get married to him?

A: First: We thank Allah that you are a religious, modest and chaste Muslim woman. **Second:** There is no harm in accepting marriage to the man you mentioned if it is proved that he has professed Islam out of free will, love and honesty as there is nothing to prohibit it. Your marriage should be through your Muslim legal guardian namely, your father or the next closest relative. May Allah make things easy for you and for every Muslim!

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question of Fatwa no. 10498

Q 1: is it permissible for a man to give his daughter or sister in marriage to someone who has no commitment to Sunnah?

A: A Waliy (a legal guardian representing the bride) should choose an eligible suitor who has a considerable commitment to Islam and truth. It is impermissible to accept one who does not. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 20011

Q: A Kurdish man proposed to me, claiming to be a follower of Ahl-ul-Sunnah wal-Jama`ah (those adhering to the Sunnah and the Muslim main body) and all his deeds appeared to be righteous, his name is Haydar `Abd Al-Husayn Al-Jabry. He accompanied my father for some months while he was our guest. During this period, he displayed nothing but good morals and virtuousness. He appeared before

my father as a follower of Ahl-ul-Sunnah wal-Jama`ah and used to attack Shiites publicly and fiercely. Due to this display of righteousness and piety, my father approved of our marriage, but after we consummated the marriage, he declared that he was not a follower of Ahl-ul-Sunnah wal-Jama`ah but that he was a staunch Shiite. When we asked him to revert to Islam upon the methodology of Ahl-ul-Sunnah wal-Jama`ah and urged him repeatedly, he professed that he was neither a follower of Sunnah nor a Shiite but he was a communist (atheist).

Your Honor, here is my question: what is the Islamic ruling on remaining with this man as his wife, especially that I have abhorred him after he revealed his reality to us? He deceived us for and made us believe he was a follower of the Sunnah. What is the way to annul this marriage contract, or how can I revoke this marriage and get rid of this man, bearing in mind that I live in a non-Muslim country? Please give us your Fatwa (legal opinion issued by a qualified Muslim scholar) and guide us to the best way out, and may Allah reward you!

A: It is not permissible to give women who adhere to the Sunnah in marriage to Shiite men or Communists. If the marriage contract is concluded, it will be deemed invalid, as it is known that Shiites supplicate to the Prophet's household and seek their help, which are acts of major Shirk (associating others with Allah in His Divinity or worship). Communists are atheists who follow no religion. Thus, you must return to your family and refuse to let him touch you, and try to inform the responsible authority

to do whatever is needed to separate you from this man. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 4459

Q 1: if one of the two spouses is a Mushrik (one who associates others with Allah in His Divinity or worship), calling on other than Allah and sacrificing to them, may Allah save us, is it the judge's right to separate the couple? In case the wife maintains monotheism, does her opinion affect the ruling of separation or not?

A: It is not permissible for a Muslim wife to remain married to a Mushrik husband, nor a Mushrik wife to remain with a Muslim husband. Allah (Glorified be He) states: ﴾And do not marry Al-Mushrikât (idolatresses, etc.) till they believe (worship Allâh Alone). And indeed a slave woman who believes is better than a (free) Mushrikah (idolatress), even though she pleases you. And give not (your daughters) in marriage to Al-Mushrikûn till they believe (in Allâh Alone) and verily, a believing slave is better than a (free) Mushrik (idolater), even though he pleases you.﴿ Allah (Glorified and Exalted be He) says: ﴾They are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them.﴿

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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A Muslim Marrying a Non-Muslim or Kafir Woman

The first question of Fatwa no. 9347

Q 1: I proposed to my cousin in order to remain chaste. The girl, her father, and her mother do not pray, but my cousin is still young and has not reached the age of puberty yet. I intend to teach her to pray after we marry. is it permissible for me to marry a girl who does not pray and neither do her parents?

A: Try to marry another righteous girl and this will be better for you, and forget about your cousin, as she is likely to follow her parents. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 10952

Q: Please advise me on what I should do if:

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my wife does not perform Salah (Prayer).

my wife does not obey me and is stubborn.

my wife has asked for divorce more than once, and no one supports her except her mother and aunt.

We agreed that my wife was not to leave my house but she did not keep her word.

With regard to all the post-divorce entitlements, there is no problem. I will be patient till Allah reveals His judgment concerning me and her. It is noteworthy that I performed Istikharah (supplication for guidance) for three consecutive days for the divorce, but I saw (in dream) snakes and scorpions.

A: Firstly, if your wife does not perform Salah, you must divorce her, and Allah will compensate you with a better one. Your wife is considered a Murtad (apostate) for her abandoning Salah. **Secondly,** if your wife performs Salah, but she conducts herself in an unacceptable manner; such as leaving the house without your permission or displaying disobedience to your lawful commands, you should not divorce her. Rather, you should try to treat her kindly and consult each other to reform your life. You may seek help from one of her upright relatives or yours to advise and remind her to fear Allah. May Allah guide all Muslims to do that which He loves and that which pleases Him.

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May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 17973

Q 2: Most of the girls in our village do not offer Salah (Prayer) until after they get married. It is difficult to find a religious wife whether in my village or in the nearby ones. is it permissible to marry a woman who does not offer Salah and then teach her to do so after marriage, or should i ask her guardian to teach her after the engagement? Please advise. May Allah reward you.

A: It is impermissible for a Muslim man to marry a woman who does not offer Salah, unless she performs Tawbah (repentance to Allah) before concluding the marriage contract and keeps up Salah. This is according to Allah's saying, ﴿And do not marry Al-Mushrikât (idolatresses, etc.) till they believe (worship Allâh Alone).﴾ Abandoning Salah is considered Kufr (disbelief) according to the saying of the Prophet (peace be upon him), ﴿What makes one a Kafir (disbeliever) and a Mushrik (polytheist) is abandoning Salah.﴾ Narrated by Muslim. He (peace be upon him) also said, ﴿That which differentiates us from the Kafirs and hypocrites is our offering Salah. A person who abandons it becomes a Kafir.﴾ Related by Imam Ahmad and Ahl-ul-Sunan (authors of Hadith compilations classified by jurisprudential themes) with a Sahih (authentic) Isnad (chain of narrators).

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The third question of Fatwa no. 2192

Q 3: a Muslim man married a woman from the People of the Book then she embraced Islam but then returned to her Din (religion) as she found the performance of the acts of `Ibadah (worship) and Islamic duties difficult. Is it permissible for the concerned Muslim man to continue his marriage to her or not?

A: It is impermissible for a Muslim to continue his marriage to his wife who was Muslim but then abandoned the Din of Islam. The foregoing applies whether such a Muslim's wife did not embrace any other Din or she returned to her original Din. This is because by abandoning Islam she is not to be considered one of the People of the Book even if she embraced Judaism or Christianity. Rather, she is considered a Murtad (apostate) and all the rulings of the Murtad apply to her. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 803

Q: a Muslim man married, to be more accurate, he took an African woman as a bondwoman for himself.

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This African woman is an atheist, but she turned to Christianity. Despite this, she is neither a Christian, nor an atheist i.e., she does not uphold the principals or the practices of Christianity, but she does not claim atheism. This man took her from her father for a dowry of ten cows, sixty goats, and some money he gave to her father. It should be known that she may not be attributed to her father. Based on the above, is she lawful for the questioner before she turns to Islam? If he lives with this girl, would their relationship be prohibited or not? It should also be mentioned that she agreed to go with him only after giving the previously mentioned dowry to her father. Is she lawful for him before embracing Islam? If she turns to Islam, would she be lawful for him before concluding the marriage contract? Can he live with her without a contract as a bondwoman? Please answer me.

A: If the matter is as you have mentioned, that she was an atheist but turned to Christianity, and that she is neither an atheist, nor a Christian who practices the basics of her religion, it is not permissible for you to marry her. She is neither a Muslim, nor one of the People of the Book - The Jews and the Christians - She is also unlawful for him from the aspect of being a bondwoman, for she has no owner from whom she can be bought. However, she becomes lawful for you only after she turns to Islam, with a new marriage contract and a Mahr (mandatory gift to a bride from her groom),

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just like other free Muslim women. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 2229

Q 1: what is the exegesis of the saying of Allah (Exalted be He): ﴾And do not marry Al-Mushrikât (idolatresses, etc.) till they believe (worship Allâh Alone).﴿

A: The meaning of Allah's saying: ﴾And do not marry Al-Mushrikât (idolatresses, etc.) till they believe (worship Allâh Alone).﴿ is as follows: Allah forbids His believing servants to marry Al-Mushrikât (idolatresses etc.) who are not Jews or Christians as He (Exalted be He) says in another Ayah: ﴾Made lawful to you this day are At-Tayyibât [all kinds of Halâl (lawful) foods, which Allâh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them. (Lawful to you in marriage) are chaste women from the believers and chaste women from those who were given the Scripture (Jews and Christians) before your time when you have given their due Mahr (bridal-money given by the husband to his wife at the time of marriage), desiring chastity (i.e. taking them in legal wedlock) not committing illegal sexual intercourse, nor taking them as girl-friends.﴿ Allah (Glorified and Exalted be He) in this Ayah of Surah Al-Ma'idah

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permits the believers to marry the chaste women of the People of the Book. This means that they are not included in the general meaning of idolaters in the Ayah mentioned in Surah Al-Baqarah just as the People of the Book are not included in the general meaning of polytheists in the following Ayah: ﴾Those who disbelieve from among the people of the Scripture (Jews and Christians) and Al-Mushrikûn, were not going to leave (their disbelief) until there came to them clear evidence.﴿ or in the saying of Allah:﴾ Verily, those who believe (in Allâh and in His Messenger Muhammad صلى الله عليه وسلم), and those who are Jews, and the Sabians, and the Christians, and the Majûs, and those who worship others besides Allâh, truly, Allâh will judge between them on the Day of Resurrection.﴿ It may be also said that they are included in the general meaning of idolaters in the Ayah of Surah Al-Baqarah but the Ayah of Surah Al-Ma'idah indicated that the People of the Book are excluded from the general meaning of the Ayah of Surah Al-Baqarah. According to both possibilities or views, there is no contradiction between the two Ayahs. The Ayah of prohibition is for a certain kind of disbelievers and the Ayah of lawfulness is confined to another kind. This view was adopted by the majority of Sahabah (Companions of the Prophet- may Allah be pleased with them). Ibn Jarir mentioned in his exegesis of the Qur'an that they were in agreement on the permissibility of this kind of marriage. He also considered the objection of `Umar (may Allah be pleased with him) to the marriage of Talhah ibn `Ubaydullah to a Jew and to the marriage of Hudhayfah ibn Al-Yaman to a Christian woman

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as weak narrations and said that they contradict a stronger proof. He also mentioned that the disapproval of `Umar and that of his son `Abdullah (may Allah be pleased with them both) to the matter may be due to preventing Muslims from excess in marrying women from the People of the

Book to imitate Hudhayfah, Talhah and `Uthman (may Allah be pleased with them) and turn away from marrying Muslim women. This is against the command of the Prophet (peace be upon him) to his Ummah that they should marry religious women. No doubt that a Muslim woman is better than those of the People of the Book. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 3968

Q: My colleagues and I, members of Ansar Al-Sunnah Al-Muhamadiyyah in Sudan in Kassala, especially Shaykh Muhammad Al-Hasan Abdul-Kadder, hold different views regarding the following Ayah (Qur'anic verse) in Surah Al-Baqarah, ﴿And do not marry Al-Mushrikât (idolatresses, etc.)﴾ **They apply this Ayah to Muslim women who visit graves and who seek the help of the Awliya' (pious people) and they prevent Muslims from marrying them. I believe that this Ayah is talking about the Mushrik (who associates others with Allah in His Divinity or worship) women who do not follow a Divine religion. I added that Allah (Exalted be He) permitted Muslim men to marry women from the People of the Scripture in Surah Al-Ma'idah as they follow a Divine religion.**

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This is so even though the People of the Scripture (Jews and Christians) are considered disbelievers because the Christians believe in the Trinity and the Injil (Gospel) was distorted. On the other hand, those Muslim women testify La ilaha illa Allah (there is no deity but Allah) and Muhammad is His Messenger. They can be considered from the People of the Scripture as the Qur'an is preserved. When these women marry Muslim men, their husbands can guide and advise them and In sha'a-Allah (if Allah wills) they will be true Muslims. I would like you to convince Shaykh Muhammad Al-Hasan, president of Ansar Al-Sunnah Al-Muhamadiyyah in Kassala, who is in Makkah now. I know that you will clarify the truth.

A: The Jews say that `Uzayr is the son of Allah (Exalted be He) and the Christians say that Christ is the son of Allah (Exalted be He) and believe in the Trinity. They worshipped other than Allah (Exalted be He) during the lifetime of the Prophet (peace be upon him) and while the Qur'an was being revealed. Allah (Exalted be He) permitted Muslim men to marry the free chaste women among them in what He (Glorified be He) says: ﴿Made lawful to you this day are At-Tayyibât [all kinds of Halâl (lawful) foods, which Allâh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them. (Lawful to you in marriage) are chaste women from the believers and chaste women from those who were given the Scripture (Jews and Christians) before your time when you have given their due Mahr (bridal-money given by the husband to his wife at the time of marriage), desiring chastity (i.e. taking them in legal wedlock) not committing illegal sexual intercourse, nor taking them as girl-friends.﴾ This Ayah is in Surat Al-Ma`idah which is one of the last Surahs to be revealed and in which He (Exalted be He) mentions the

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saying of the Christians that Christ is the son of Allah (Exalted be He) and worshipping other than Him. The following Ayah ﴿And do not marry Al-Mushrikât (idolatresses, etc.) till they believe (worship Allâh Alone).﴾ is not Nasikhah (an Ayah whose content, or the judgment it conveys, abrogates the content and judgment of an earlier verse) of the Ayah in Surat Al-Ma`idah. The Ayah of Surah Al-

Baqarah cannot be confined to the disbelievers unlike Jewish and Christian women, and it is not permissible to say that it is abrogated from the Ayah of Surah Al-Ma`idah. On the other hand, the women who seek the help of the dead are Murtad (apostates). They should be informed of the correct `Aqidah (creed). If they repent, so praise be to Allah (Exalted be He). If they insist on this, after it has been clarified to them and the evidence is given, the Muslim ruler must apply the ruling of Shari`ah, meaning, execute the apostate. They are not like the Jewish and Christian women; they are more evil than the disbelieving women. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 2958

Q 1: I asked a woman who is a Mushrik (one who associates others with Allah in His Divinity or worship) to marry me and she agreed. Can she have a chance to repent? Can I marry her while she is still holding such beliefs.

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What is the ruling if I said to her: "I am a Muslim and I would like to marry you", and she agrees?

A: it is not permissible for a Muslim man to marry a woman who is a Mushrik. Christians and Jews are not included in this ruling. One is not permitted to marry a disbelieving woman even if she agrees to do so, and whether or not the person has told her that he is a Muslim. Allah (Exalted be He) says: ﴾And do not marry Al-Mushrikât (idolatresses, etc.) till they believe (worship Allâh Alone).﴿ If she repents from her Shirk (associating others with Allah in His Divinity or worship) and embraces Islam, he will be permitted to marry her. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 9542

Q: There is a sect in Pakistan called Al-Qadyaniyyah. This sect does not believe that Muhammad (peace be upon him) is the last Prophet. Rather, it believes in the prophecy of Mirza Ghulam Ahmad Qadyany. Therefore, the Pakistani government announced that this sect is not Muslim. Likewise, the Legal Juridical Court in Pakistan decreed a resolution to the effect of condemning the concerned sect for being non-Muslim.

I would like to ask: 1. is it permissible for a Muslim man to marry a Qadyany woman?

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2. If such a marriage has already taken place, what is the Shar`y (Islamic legal) ruling on it? 3. What is the Shar`y ruling on the child born of such a marriage? 4. What is the ruling on people who know that someone is a Qadyany but they attend his wedding or act as witnesses or Waliy (legally accountable person acting for a woman seeking marriage)?

A: Firstly: It is impermissible for a Muslim man to marry a Qadyany woman because she is a Kafir (disbeliever) and is not even a Jewish or a Christian. It is worth mentioning that there are well-established justifications for judging the Qadyanys as Kafirs (disbelievers). **Secondly:** If a Muslim man has already married a Qadyany woman, the contract of the marriage should be revoked by the Muslim ruler or whoever represents him. **Thirdly:** The child of such a marriage has to be ascribed to their father for the father was ignorant of the ruling on such a marriage and thus the concerned marriage is a dubious one. **Fourthly:** It is impermissible for whoever knows that the bride is a Qadyany to attend their wedding or to act as a Waliy or a witness for the contract of marriage. Rather, people should forbid such a marriage and enjoin others to act righteously for Allah (Exalted be He) says: ﴾Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression.﴿

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The second question of Fatwa no. 2165

Q 2: what is the ruling on marrying a woman of Rafidah (a Shi`ah group)? If this marriage has already taken place, what is the ruling on it?

A: It is impermissible for a Sunni man to marry a woman of Rafidah. If this marriage takes place, it should be annulled, as they are known to supplicate to Ahl-ul-Bayt (members of the Prophet's extended Muslim family) and seek their help, which is considered a form of major Shirk (associating others with Allah in His Divinity or worship). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 2706

Q: 18 years ago, I married a Shiite woman in Bahrain. I asked the judge of a court in the country about the permissibility of this marriage. He approved and concluded the contract of this marriage. We had children.

We lived a happy life for a long time. However, two years ago, some Shiite people from Al-Ahsa' who lived nearby began to influence my wife to perform some acts contrary to Islam. Among these actions was visiting Al-Najaf where they worship graves. I divorced her because she and one of her sons visited this place in my absence. Now, I wish to take this back so she can take care of the house and her children. Is it permissible for me to do so, or not?

A: If your wife adhered to Ahl-ul-Sunnah wal-Jama`ah (those adhering to the Sunnah and the Muslim main body) not to Shiites at the time of marriage, and remained as such for such a long time, she must perform Tawbah (repentance to Allah) and ask Allah's forgiveness for ignorantly visiting the graves. If she abandoned adhering to Ahl-ul-Sunnah wal-Jama`ah and adhered to Shiites, it is impermissible to continue the relationship. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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The third question on Fatwa 2428

Q 3: is it permissible for a man to marry a Christian or a Jewish woman who is still embracing Christianity or Judaism? What is the ruling if she told him that she would embrace Islam after marrying him,

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but she refused to embrace Islam after marriage?

A: It is permissible for a Muslim man to marry a Christian or a Jewish woman if she is chaste and free. Allah (Exalted be He) says: (Made lawful to you this day are At-Tayyibât [all kinds of Halâl (lawful) foods, which Allâh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them. (Lawful to you in marriage) are chaste women from the believers and chaste women from those who were given the Scripture (Jews and Christians) before your time when you have given their due Mahr (bridal-money given by the husband to his wife at the time of marriage), desiring chastity (i.e. taking them in legal wedlock) not committing illegal sexual intercourse, nor taking them as girl-friends. And whosoever disbelieves in Faith [i.e. in the Oneness of Allâh and in all the other Articles of Faith i.e. His (Allâh's) Angels, His Holy Books, His Messengers, the Day of Resurrection and Al-Qadar (Divine Preordainments)], then fruitless is his work; and in the Hereafter he will be among the losers.) However, it is preferable for a Muslim man not to marry a Jewish or a Christian woman lest she should lead him and their children to embrace her religion. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The fourth question of Fatwa no. 3081

Q 4: What is the ruling of Shari`ah (Islamic law) on marrying Christian and Jewish women in this age and in such a society,

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especially that a Muslim man may take one as his lover and then marry her? Can they be regarded as chaste women at the time when there are many Muslim women waiting to be asked for marriage? what is the ruling on a Muslim man who marries a non-Muslim woman, namely a Christian or Jew? What is the ruling on a Muslim man who marries a woman who is not from the People of the Book, that is, a Hindu, a Sikh, or any believer in non-divine religions?

A: It is permissible for a Muslim man to marry chaste Christian and Jewish women, because of the general meaning of the following Ayah (Qur'anic verse) in which Allah (Exalted be He) says: ﴾Made lawful to you this day are At-Tayyibât [all kinds of Halâl (lawful) foods, which Allâh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them. (Lawful to you in marriage) are chaste women from the believers and chaste women from those who were given the Scripture (Jews and Christians) before your time when you have given their due Mahr (bridal-money given by the husband to his wife at the time of marriage)﴿ A chaste woman refers to the woman who does not commit Zina (premarital sexual intercourse and/or adultery). Regarding the women who embrace non-divine religions, such as Hindus, Sikhs, and other atheists and polytheists, a Muslim man is not permitted to marry any of them. This is because of the general meaning of the following Ayah: ﴾And do not marry Al-Mushrikât (idolatresses, etc.) till they believe (worship Allâh Alone).﴿ On the other hand, a Muslim woman is not permitted to marry a non-Muslim man, because Allah (Exalted be He) says: ﴾And give not (your daughters) in marriage to Al-Mushrikûn till they believe (in Allâh Alone)﴿ Allah

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(Glorified and Exalted be He) also says: ﴾They are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them.﴿ If a Muslim woman marries a non-Muslim, she will not be regarded as non-Muslim unless she believes in the lawfulness of her marriage. It should be noted that marrying chaste Muslim women is better than marrying chaste women from the People of the Book. It also keeps Muslims away from Fitnah (temptation) and protects them and their children from harmful consequences. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The fifth question of Fatwa no. 7122

Q 5: what is the ruling in Islam on marrying a foreign woman, whether from the People of the Book (Jews and Christians) or others? Is there a difference between the present People of the Book and those who lived during the lifetime of the Prophet (peace be upon him), and, if there is, what is it? Please give us sufficient evidence and references with your answer.

A: It is permissible to marry a free chaste woman from the People of the Book, but not from the Kafir (disbelieving) women, who are non-followers of heavenly-revealed messages.

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There is no difference between the People of the Book of today and those who lived during the lifetime of the Prophet (peace be upon him). May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

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The twenty seventh question of Fatwa no. 18611

Q27: The People of the Scripture, in addition to denying the Message of Islam which Prophet Muhammad (peace be upon him) conveyed, are also Mushrik (associate others with Allah in His Divinity or worship). Is the permissibility of marrying their women an exception, given that a Muslim is prohibited to marry Mushrik women? We would also like to know the reasons for slavery in Islam and the evidence for it. Is it permissible for a Muslim to purchase a female slave in the unbelievers' territory or Dar-ul-Harb (enemy territory)? What is the ruling on a person purchasing a female slave from a Muslim warrior who has taken her as a prisoner of war from Dar-ul-Harb (enemy territory)?

A: First, it is permissible for the Muslim to marry a woman from the People of the Scripture - a Christian or a Jew - if she is a chaste woman. The basic evidence for this permissibility is the Saying of Allah (Exalted be He), ﴿Made lawful to you this day are At-Tayyibât [all kinds of Halâl (lawful) foods, which Allâh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you﴾ and His Saying, ﴿and chaste women from those who were given the Scripture (Jews and Christians) before your time when you have given their due Mahr (bridal-money given by the husband to his wife at the time of marriage), desiring chastity (i.e. taking them in legal wedlock) not committing illegal sexual intercourse, nor taking them as girl-friends.﴾

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(Surah Al-Ma'idah).In Arabic the word Muhsanat (casually translated in the Ayah as 'chaste women') implies the qualities of chastity and freedom. As regards the Saying of Allah (Exalted be He), ﴿And do not marry Al-Mushrikât (idolatresses, etc.) till they believe (worship Allâh Alone).﴾ , it is about the idolatress women and not the women of the People of the Scripture; because the Qur'anic Ayah from Surah Al-Ma'idah is clear about the lawfulness of marrying women from the People of the Scripture. **Second,** the basic source for slavery is prisoners of war who are captured by Muslims through wars between them and the unbelievers and through Jihad (fighting in the Cause of Allah) to make the word of Allah (Exalted be He) superior and to defend His Religion. This status applies to the descendants who are born into slavery and they cannot be released except through manumission. On the other hand, kidnapping free persons to be sold into slavery is not permissible. Also, it is not permissible for a Muslim to enslave another Muslim captured through wars between Muslims or to sell a free Muslim. None of this is permissible and it is even unlawful; it does not prove ownership of the slave in question. If enslavement takes place through the legal means we mentioned, it is permissible for the Muslim to purchase slaves, which includes female slaves as mentioned by the questioner.

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The first question of Fatwa no. 19043

Q 1: I have an illegitimate daughter from a Finnish woman. After the daughter was born, she was baptized in church. Since I wanted to make amends, I married her mother. The daughter took a Finnish name and is now 5 years old. She goes to nursery and learns all their customs and traditions and eats pork. I see many things that anguish me but I am helpless. When I oppose any of these practices, my wife goes against me, accusing me of bigotry and ignorance and threatens to divorce me. It is worth mentioning that a woman in this country has the right to divorce her husband without his consent and for no legal reason according to the laws of human rights and women's rights in Finland and Europe. She has the right to deprive me of bringing up my daughter. Moreover, I do not speak Finnish well, so I cannot educate or correct my daughter through beating nor even words. It should be noted that I speak little English to the mother and the daughter. Furthermore, I do not have work here so I cannot financially support my daughter or wife. I rely on a small sum of money I get as financial assistance from the state. My wife works as a babysitter.

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How can I repent and set things right? Should I divorce my wife and return to my country or stay with my family?

A: First: You have to repent to Allah from this great sin of fornication, never commit this sin again and seek Allah's Pardon and Forgiveness for what you have done. **Second:** It is not permissible for a Muslim to marry a woman from the People of the Scriptures whether a Jew or Christian if she commits fornication unless she stops committing it and repents. Allah (Exalted be He) says, ﴾Made lawful to you this day are At-Tayyibât [all kinds of Halâl (lawful) foods, which Allâh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them. (Lawful to you in marriage) are chaste women from the believers and chaste women from those who were given the Scripture (Jews and Christians) before your time﴿ The chaste women means those who do not commit fornication/adultery. Also Allah (Glorified be He) says, ﴾The adulterer-fornicator marries not but an adulteress-fornicatress or a Mushrikah, and the adulteress-fornicatress none marries her except an adulterer-fornicator or a Muskrik [and that means that the man who agrees to marry (have a sexual relation with) a Mushrikah (female polytheist, pagan or idolatress) or a prostitute, then surely he is either an adulterer-fornicator, or a Mushrik (polytheist, pagan or idolater). And the woman who agrees to marry (have a sexual relation with) a Mushrik (polytheist, pagan or idolater) or an adulterer-fornicator, then she is either a prostitute or a Mushrikah (female polytheist, pagan, or idolatress)]. Such a thing is forbidden to the believers (of Islâmic Monotheism).﴿ **Third:** The mentioned girl is an illegitimate child from an unlawful relationship with a woman, so she is not your daughter according to the Shari`ah. It is not permissible for you to ascribe her to you because she was the result of an unlawful relationship; that is fornication. She should be ascribed to her mother not to the person who committed fornication with her.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The fourth question of Fatwa no. 17971

Q 4: some young men bring Christian girls to conclude marriage contracts to them while they have no Waliy (a legally accountable person acting for a woman seeking marriage). The girl may be accompanied by her mother, but there is no father or male relative. The girls are virgins. Is their marriage contract valid without a Waliy? Is the mother considered as a Waliy?

A: It is not permissible for a Muslim man to marry a Christian woman unless she is a chaste woman who has not committed adultery/fornication. Her father should assume the concluding of the marriage contract as a Waliy and if she has no father then any of her close male blood relatives should assume it. The Prophet (peace be upon him) said, (There is no marriage without the permission of a guardian.) If she does not have a Waliy, the Mufti of the Muslims or the head of the Islamic Center in your country may be her Waliy. It is not permissible for her mother to be the Waliy of her daughter in her marriage contract. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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(Part No. 18; Page No. 323)

Fatwa no. 16324

We hope that devoted scholars, the heirs of prophets, will tell us about the conditions of the validity of a marriage contract between a Muslim man and a Christian woman in the West, especially where we live, i.e. North America, Canada.

Please, take into consideration some facts that turned into concepts widely acknowledged as essential and indispensable society customs and beliefs. Such are considered main pillars for contracting marriage between a male and a female. All these things are encouraged by Christian clergy men, fathers and relatives. Below are such things: 1. The marriage contract has to be preceded by at least one year as an experimental stage during which a woman co-lives with a man. 2. The marriage contract has to be preceded by sexual intercourse which is an experimental stage longer than the first. 3. The marriage contract has to be preceded by an experimental stage during which a male and a female test each other's ability to forgive the mistakes of each other and to overlook previous sexual relations.

If such conditions are met, both parties decide that they are suitable for each other as spouses. Otherwise, they do not.

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It should be noted that it is shameful for a Christian woman and man: 1. To remain virgin after being 15 years old, 2. To remain without a boyfriend to make love to each other, 3. To live at her parent's house after reaching maturity (18 years old), 4. To be responsible for her sexual and social faults before her friend (i.e. she is completely and unobjectionably free), and 5. To live alone without a boyfriend in her new house. In fact, this is encouraged by family and clergy men. Moreover, males are not less in committing such mistakes than females.

Most importantly, both males and females boast among their peers about how many friends they have had sex with and how many sexual experiences they have had.

Given this, is it permissible for Muslim men to marry such Christian girls?

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A: First: It is permissible for a Muslim to marry Jewish or Christian women if they are chaste and free (i.e. not a slave). **Second:** If it is true that there are five fundamentals that have to be acted upon by one who wishes to marry a Christian woman in North America (Canada), such five fundamentals mentioned above in the question symbolize Khulwah (staying in private with a marriageable member of the opposite sex), sexual intercourse, having friends, fornication and boasting thereof. All such things are prohibited and their prohibition is intuitively known to be an Islamic ruling. Moreover, a Muslim who boasts about such prohibited acts and deems them permissible is a disbelieving Murtad (apostate). Actually, it is impermissible for a Muslim to fornicate

or follow any means leading to fornication such as staying in private with a marriageable woman. Therefore, it is impermissible for a Muslim to marry a Christian woman whose marriage is preceded by such five fundamentals or anything thereof. Moreover, concluding or witnessing such a marriage is impermissible. Furthermore, whoever does any of these things is sinful for conducting something prohibited by the Shari`ah (Islamic law). In addition, whoever marries such a woman will have to divorce her. How can a Muslim feel comfortable marrying a prostitute! Besides, if such a person insists on not breaking such a marriage bond, he will be considered cuckold as he approves of his wives faults and because of the difference between purity and impurity,

good and bad, lawful sexual intercourse and unlawful one. We advise all Muslims who know about this Fatwa to control themselves and have high moral standard not to be motivated by lustful desires of disbelievers to indulge in a prohibited marital life which leads to absolute failure and endless problems. In fact, a lawful marriage can replace such an unlawful one and the original position is that a Muslim man marries a Muslim woman. Accordingly, a Muslim has to fear Allah regarding himself, his progeny and family. He also has to fill his heart with sympathy towards Muslims. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The fourth question of Fatwa no. 18074

Q: As known to everyone, we, inhabitants of non-Muslim countries, encounter difficult circumstances including temptations, semi-nude clothing and the like. As people committed to their religion, is it permissible for us to marry Christian women? What are the conditions?

A: It is permissible for a Muslim to marry a Jewish or Christian woman if she is chaste and free (i.e. not a slave). The basic principle in this regard is permissibility based on the Ayah (Qur'anic verse) that reads:

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﴾Made lawful to you this day are At-Tayyibât [all kinds of Halâl (lawful) foods, which Allâh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you﴿ until: ﴾and chaste women from those who were given the Scripture (Jews and Christians) before your time when you have given their due Mahr (bridal-money given by the husband to his wife at the time of marriage), desiring chastity (i.e. taking them in legal wedlock) not committing illegal sexual intercourse, nor taking them as girl-friends.﴿ The general purport of the Ayah indicates that it is permissible for a Muslim to marry a woman of the People of the Book provided that she is chaste and free. It is well-known to all Muslims that meeting such a prerequisite nowadays is hardly attainable. Therefore, a Muslim has to be on his guard against overlooking such a condition as it leads to contingent corruption regarding both marital bond and children. Moreover, non-fulfillment of such a condition renders the marriage contract null and void. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Marrying female slaves

The fourth question of Fatwa no. 2875

Q 4: is it permissible for a free man to marry a female slave?

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A: It is permissible for a Muslim free man to marry a Muslim female salve if he cannot afford the dowry for marrying a free woman or the money for buying a female slave. This is even stressed when he faces the hardship of remaining single due to inability to satisfy his sexual desire or his need of someone to take care of him if he is old, ill or the like. This is regardless of whether his current free wife is too young, away or ill. The basic principle in this regard is the saying of Allah (Exalted be He), ﴾And whoever of you have not the means wherewith to wed free, believing women, they may wed believing girls from among those (slaves) whom your right hands possess﴿ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 6394

Q 2: what is the exact modern definition of (or (the slaves) that your right hands possess.) **that was mentioned in the following Ayah (Qur'anic verse):** (And if you fear that you shall not be able to deal justly with the orphan-girls, then marry (other) women of your choice, two or three, or four; but if you fear that you shall not be able to deal justly (with them), then only one) **? Is it permissible to marry four women at the same time and have a countless number of slave girls?**

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Are there any slave girls nowadays? What is the ruling on them if they are non-Muslims? Should a marriage contract be concluded, or does it depend on the master's wishes? Does she have the same rulings as a free woman when having intercourse with her, or should she be left to assume her role as a slave until she becomes pregnant and her baby emancipates her?

A: First, those whom your right hands possess are the slave girls who are lawfully possessed in a way that agrees with the Shari`ah (Islamic law). **Second,** it is permissible for a man to marry four women at the same time. He can also have a number of slave girls, whether he has four wives or less, or even if he has no wife. He can have intercourse with whoever he likes from his slave girls, provided that she is not married. In case she is newly bought in a way that agrees with the Shari`ah or the Sunnah (whatever is reported from the Prophet), he has to wait until she has at least one menstrual period. There is no need to conclude a marriage contract. She does not have the same rulings as a legal wife in terms of treating her on equal terms as he treats his wives regarding the days he spends with each. She might be non-Muslim, but her owner still has the right to have intercourse with her on the grounds of being possessed by the right hand. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The eighth question of Fatwa no. 687

Q 8: I know that if a man has a female slave, he is permitted to treat her like a wife in terms of intimate relations. However, what if the matter is the other way round, i.e., if a free woman has a male slave, is she allowed to use her slave as she wishes in regard to sexual intercourse and other matters? Who has the authority after that?

A: According to the Ijma' (consensus) of Muslims, it is not permissible for a woman who has a male slave to let him be intimate with her and enjoy her as a husband does with his wife or as a master does with his female slave. As for having authority to manage her affairs, the woman has the authority over her slave. May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

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The sixth question of Fatwa no. 102

Q 6: would the marriage contract be rendered invalid if during the wedding ceremony the groom drinks alcohol or serves it to some of his friends? and the Ma'dhun (marriage registrant) knew that the groom was drinking alcohol.

A: The marriage contract will be null and void if the contracting parties are known to have been intoxicated when it was concluded.

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If they are known to have not been intoxicated at that time, the contract will be considered valid. However, their act constitutes ingratitude towards Allah's blessings. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Marrying relatives' ex-wives

Fatwa no. 8297

Q: what is the ruling on marrying a brother's ex-wife after the end of her `Iddah (woman's prescribed waiting period after divorce or widowhood)?

A: It is permissible for a person to marry his brother's ex-wife after she finishes her `Iddah. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first and second questions of Fatwa no. 2586

Q 1: is it permissible for a person to marry his paternal uncle's ex-wife? Is she called by another name

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in the Arabic language? What is the meaning of Allah's Saying: ﴾your father's sisters﴿ **in the Glorious Qur'an?**

A: It is permissible for a man to marry his paternal uncle's ex-wife. This is because Allah (Exalted be He) has mentioned those whom a person is not permitted to marry in His Saying: ﴾And marry not women whom your fathers married, except what has already passed; indeed it was shameful and most hateful, and an evil way.﴿ ﴾Forbidden to you (for marriage) are: your mothers, your daughters﴿ until He says: ﴾Also (forbidden are) women already married, except those (slaves) whom your right hands possess. Thus has Allâh ordained for you.﴿ Then He says: ﴾All others are lawful﴿ She has no other name in Arabic. One's paternal uncle is the father's brother, whether he is a full brother or a half-brother and whether he is the brother of one's father or the brother of one's grandfather or great grandfather. `Ammah (aunt) is one's paternal aunt who is the father's sister, whether she is a full sister or a half-sister. Allah's Saying: ﴾your father's sisters﴿ means the sister of one's father, whether she is his full sister or half-sister and whether she is the sister of the father or the sister of the grandfather or great grandfather. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Q 2: is it permissible for a man to marry his maternal uncle's wife?

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What is meant by the phrase: ﴾your mother's sisters﴿ **?**

A: Yes, it is permissible for a man to marry his maternal uncle's wife after the uncle divorces her or dies, and the 'Iddah (woman's prescribed waiting period after divorce or widowhood) is completed. This is based on the evidence mentioned in the answer to the first question. A maternal aunt is the mother's sister, whether she is a full or a half-sister from either the mother or the father. This is the meaning of maternal aunt in the Noble Qur'an. This is the meaning indicated in this Ayah (verse) from the Qur'an. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 14626

Q: A man married his deceased brother's widow who had a daughter from that deceased brother. The daughter was raised with her cousins until she reached the full legal age. One of her uncle's sons wants to marry her, so is such a marriage permissible as the girl was raised with her cousins in the same house?

Guide us, may Allah benefit you and us! As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

A: If the reality is as you have mentioned, it is permissible for the deceased's nephew to marry his cousin. It doesn't matter if the girl was raised with her cousin in childhood, provided that there is no impediment that affects marriageability such as breastfeeding

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and the like. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 611

Q: the daughter of my paternal uncle's son married my maternal uncle and I married his daughter, then he divorced his wife and I too divorced his daughter. I want to marry the daughter of my paternal uncle's son. Is it permissible for me to marry her?

A: It is permissible for you to marry the daughter of your paternal uncle's son. Her being previously married to your maternal uncle does not make her unlawful for you to marry. Likewise, your marriage to your maternal uncle's daughter does not prohibit you from marrying the daughter of your paternal uncle's son. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 1186

Q 1: `Uwayd has a maternal half-sister and a paternal half-brother. Is it permissible for the maternal half-sister to marry the paternal half-brother?

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A: If the reality is as you mentioned, it is permissible for `Uwayd's paternal half-brother to marry the maternal half-sister unless there exists a hindrance by means of consanguinity, foster relations or affinity whereby the marriage will be prohibited. `Uwayd being a half-brother to them on the parents' side does not prohibit the marriage. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 1386

Q: what is the ruling on marrying two paternal cousins at the same time?

A: It is not permissible to marry two sisters at the same time, because Allah (Exalted be He) mentioned among the women forbidden for a man to marry: ﴾and two sisters in wedlock at the same time, except for what has already passed﴿ It is also forbidden to marry a woman and her paternal aunt or her maternal aunt at the same time. Abu Hurayrah narrated that the Prophet (peace be upon him) said, (("Do not be married to a woman and her paternal aunt or a woman and her maternal aunt at the same time.")) (Agreed upon by Al-Bukhari and Muslim) Al-Bukhari reported the same Hadith on the authority of Jabir. As for marrying a woman and her paternal cousin at the same time, this is permissible as the basic ruling is for the permissibility of this, and there is no evidence that necessitates it being forbidden.

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The fourth question of Fatwa no. 6609

Q 4: is it permissible for a man to marry the daughter of his full maternal aunt?

A: Yes, it is permissible, because the basic ruling is for permissibility, as long as there exists no Shar'y (Islamic legal) prohibitive impediment to this marriage. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 1358

Q: What is the ruling on a Muslim called (A.M.S.) who wants to marry his current wife's paternal cousin, whose name is (S.M.T)?

A: The main criteria is that any two women who have the same Mahram (spouse or unmarriageable relative) are prohibited to be married to the same man at the same time, in a way that if supposedly one of them was a man, they would not marry one

another. In this case, this condition is not fulfilled. Thus, it is permissible for (A.M.S.) to marry his wife's cousin, as the basic rule is the permissibility of having a plurality of wives and we do not know of any impediment to prohibit it. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 1458

Q: i have a maternal half-sister and a paternal half-sister, both were married to the same man and i am their guardian. is this permissible?

A: It is permissible for them to marry the same man at the same time, as permissibility is the basic rule and there is no evidence supporting the opposite. As for being their guardian, it is permissible to be your paternal half-sister's guardian in concluding her marriage contract in the absence of anyone worthier than you. However, it is not permissible for you to be your maternal half-sister's Waliy (a legal guardian representing the bride) without legal authorization from one of her guardians, if any, or from the ruler if she has no suitable Waliy.

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Fatwa no. 4571

Q: My paternal uncle died (may Allah have mercy on him) and I married his widow. My uncle had a married son who died in an airplane accident at Riyadh Airport, leaving a wife and some children. I became the children's guardian after their father's death.

I want to know: is it permissible for me to marry my cousin's widow while married to his mother? Bear in mind that both women are not related in any way apart from their mutual relation to my deceased cousin.

Please advise if it is permissible for me to marry my cousin's widow while married to his mother.

A: If the case is as you mentioned, it is permissible for you to marry this woman and being married to the deceased's mother does not affect the legality of marrying his widow or being married to both of them simultaneously. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 5391

Q: i am a married man. My wife is still alive but i want to marry a lady whose mother was married to my current father-in-law but did not beget any children from him. He divorced her and she married another man and gave birth to that lady whom I want to marry. It is worth mentioning that my wife is from another woman whom my father-in-law married after he divorced the woman mentioned above. Is it permissible to marry this lady along with my first wife or should I divorce my first wife? Could you kindly advise? May Allah reward you with the best!

A: If the reality is as you have mentioned, it is permissible for you to combine between the mentioned lady and your current wife. Your father-in-law's marriage to the mother of the girl whom you want to marry has no effect on the permissibility of marrying her. The basic ruling is that this marriage is permissible and there is no evidence that prevents it. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 6180

Q: a man married a man's daughter, is it permissible for him to also marry the daughter

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of the man's sister at the same time?

A: It is permissible for a man to marry a woman and her paternal cousin at the same time; there is no sin in that. What is Haram (prohibited) is for him to marry a woman and her paternal aunt or her maternal aunt at the same time. May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

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Fatwa no. 3692

Q: two sisters married two brothers and each of them gave birth to a girl. the daughters therefore became both maternal and paternal cousins. I have married one of them, is it permissible for me to marry the other daughter?

A: If the situation is as you have mentioned, it is permissible for you to marry the other daughter. The fact the each of the two daughters is the paternal and the maternal cousin of the other does not prohibit marriage to the two of them at same the time. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 750

Q: There are two brothers; the elder brother is called Shari` ibn Muhammad and the younger is called Nasir ibn Muhammad. Shari` died and left behind three daughters and a son. Nasir married his brother's wife who gave birth to two sons and two daughters. Nasir has children born to another wife. is it permissible for Nasir's sons, who are born to a mother other than his brother's wife, to marry the daughters of their uncle Shari`?

A: It is permissible for Nasir's sons, who are born to a mother other than his brother's wife, to marry the daughters of their uncle Shari` ibn Muhammad. The fact that their father is married to the wife of their late uncle does not render the marriage invalid. However, the marriage will be Batil (null and void) if, for example, the sons and daughters are related to each other by means of breastfeeding that affects marriageability. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 1848

Q: My full paternal uncle married my mother after

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my father had passed away and they had a son. however, this uncle of mine had a daughter from a previous marriage. We all used to live together. Is it permissible for me to marry my cousin i.e. my uncle's daughter from his first wife? It is noteworthy that my half brother who is my cousin as well is at the same time a half brother to my cousin whom I want to marry but we are not milk brothers.

A: If the reality is exactly as you have mentioned, it will be permissible for you to marry your cousin who is the daughter of your uncle from his first wife. The fact that your uncle's son is your half brother and that the latter is the half brother of the girl whom you want to marry does not affect the permissibility mentioned above; your cousin whom you want to marry is still not a Mahram (unmarriageable relative) to you. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 2068

Q: i have a cousin whose parents died when she was young. My father brought her up in our house until she became of age. I proposed to her but my father refused until I ask your Eminence about the ruling. Is it permissible for me to marry her? As for wet-nursing, she is not my milk sister at all.

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A: If the matter is as mentioned, it will be permissible for you to marry her. Bringing her up in the house of your father does not prevent you from marrying her. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 3243

Q: is it permissible for a man to marry the daughter of his paternal uncle who is married to his maternal grandmother, bearing in mind that this daughter is from another wife? Moreover, there is no foster relation between this daughter whom I want to marry and my maternal grandmother. I doubted the permissibility of marrying her because my maternal grandmother is one of her father's wives. The children of my grandmother are my maternal uncles. Moreover, she is a sister of my uncles.

A: If the reality is as you mentioned that your paternal uncle is married to another wife other than your maternal grandmother and that your paternal uncle's daughter is not the daughter of your maternal grandmother and that there is no foster relation between her and your grandmother, you will be permitted to marry her. The basic rule is permissibility as long as there is no evidence that forbids you from marrying her. Moreover, your maternal grandmother being a wife of the father of this girl does not affect marrying her as long as your grandmother is not her mother or foster mother.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 8484

Q: is it permissible for a man to marry the daughter of his male paternal cousin or not?

A: This is permissible, because the basic ruling is for permissibility. Being the paternal cousin of the man whose daughter you want to marry does not prohibit marriage to her. May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 14105

Q: i married my paternal cousin and i now want to marry another of my cousins, the daughter of my second uncle. My uncle has objected to this, saying that he regards my wife as his daughter and I do not have the right to marry his daughter along with my current wife as she is her cousin. What is the ruling on that marriage according to the Shari'ah (Islamic law)?

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A: If the reality is as you mentioned, it is permissible for you to marry your second paternal uncle's daughter; it is also permissible to be married to her and your first paternal uncle's daughter at the same time, if there is no prohibitive impediment that forbids such a marriage, such as breastfeeding and the like. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 1380

Q: two years ago, I married my cousin, who stayed with me for three years, but did not bear me any children. I divorced her and she married another man and together they had a boy and a girl. He died and she married my cousin and she gave birth to boys and girls from him. Now I want to marry one of my children off to one of my cousin's girls from that woman whom I was previously married to, is it permissible?

A: If the situation is as you mentioned, it is permissible for any of your children to marry any of your cousin's daughters from the woman whom you were previously married to. There is no relation between your previous marriage to her and the marriage of your children to one of her daughters from another man.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'!

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 5053

Q: i am a young man and i want to marry my father's paternal cousin. Her father is my grandfather's brother. is it permissible to marry her? Please advise me!

A: If the situation is as you mentioned, it is permissible for you to marry her, as there is no Shar'y (Islamic legal) impediment to this marriage, such as being related by blood, breastfeeding, marriage, etc. The basic ruling is for permissibility. May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 5345

Q: My father had about five paternal uncles but they all passed away along with my grandfather (may Allah be merciful with them all). Some of my deceased uncles had children and some did not. The last one that died among my father's uncles is a man called: Dahman ibn Muhammad.

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Dahman left a daughter called Sharifah bint Dahman ibn Muhammad who is my father's cousin. Sharifah has cousins other than my father. Her cousins look after her in turns for she stays with each one of them for a year. However, Sharifah is about thirty five years of age and she did not marry before, bearing in mind that she sometimes loses her consciousness due to a disease that hit her before. To get to the point, I would like to marry her to be more able to look after her. Is it permissible for me to do so as I am the son of her cousin? May Allah reward you.

A: If the matter is as you have mentioned and you are not a milk brother to her, it will be permissible for you to marry your father's cousin via the nearest Waliy (a legally accountable person acting for a woman seeking marriage) to her. You have to make sure that she shows her consent to the marriage while she is conscious.May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
\`Abdullah ibn Qa\`ud	\`Abdullah ibn Ghudayyan	\`Abdul-Razzaq \`Afify	\`Abdul-\`Aziz ibn \`Abdullah ibn Baz

Fatwa no. 14527

Q: Two brothers and their children live in one house; the children have been raised and married in the same house, even though there was no breastfeeding that makes them Mahrams (unmarriageable relatives). My questions are:

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1. is it permissible for one brother's children to marry the other brother's children?

2. Is it permissible for the sons of the one brother to marry the granddaughters of the other? Are the sons regarded as uncles of the granddaughters, as the granddaughters greet them claiming that they are in the status of their uncles because they all live in the same house?

I hope that you will answer me and help overcome these worries. As-salamu 'alaykum (May Allah's Peace be upon you!)

A: If the reality is as you have mentioned, it is permissible for the sons of one brother to marry the granddaughters of the other brother. As for them greeting each other, this is ignorance and error. It is not lawful for daughters to uncover their veil in front of their paternal cousins, shake hands with them, or be in Khulwah (being alone with a member of the opposite sex) with them, as they are not Mahrams to them. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 1896

Q: Salih ibn Ahmad Al-Thaqafy married to Rahmah bint `Awad Al-Thaqafy and gave birth to girls. Dakhil-u-Illah ibn `Awad Al-Thaqafy married `Aishah

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bint Ahmad Al-Thaqafy and gave birth to children. is it permissible for the children of Dakhil-u-Illah ibn `Awad Al-Thaqafy to marry the daughters of Salih ibn Ahmad Al-Thaqafy from their aunt Rahmah bint `Awad Al-Thaqafy? It is worth mentioning that there is no wet-nursing between them.

A: If the situation is as you mentioned, it is permissible for any of Dakhil-u-Illah ibn `Awad's sons to marry any of Salih ibn Ahmad's girls. The blood relationship between them does not prohibit marriage. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'!

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 612

Q: My maternal grandfather married my paternal aunt, who gave birth to sons. When she was divorced, she married another man and gave birth to daughters. is it permissible for me to marry any of her daughters, as they are the maternal sisters of my maternal uncles? Please advise me!

A: If the situation is as you mentioned in your question, it is permissible for you to marry any of the daughters of your mentioned paternal aunt. The fact that your paternal aunt's daughters with her second husband are the maternal sisters to your maternal uncles, who are her sons with your

maternal grandfather, is not an impediment against you marrying any of the daughters of your mentioned paternal aunt. May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman
\`Abdullah ibn Sulayman Ibn Mani\`	\`Abdullah ibn \`Abdul-Rahman ibn Ghudayyan	\`Abdul-Razzaq \`Afify

Fatwa no. 10366

Q: I fell in love with a girl in our village. She is best noted for her good manners and religiosity. She is related to me through her mother who is my father's cousin. Her father is the paternal uncle of my mother. is it permissible for me to marry her? I ask Your Eminence to guide me on this matter in order not to fall into sin or incur Allah's punishment. We ask Allah (Exalted be He) to grant us and you protection. May Allah protect you and grant you success!

A: It is permissible for you to marry that girl. Her mother being your father's cousin and her father being the paternal uncle of your mother does not prohibit marrying her. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
\`Abdullah ibn Ghudayyan	\`Abdul-Razzaq \`Afify	\`Abdul- \`Aziz ibn \`Abdullah ibn Baz

(Part No. 18; Page No. 351)

Fatwa no. 1463

Q: I want to marry my maternal cousin, but my mother refuses because she fears that the girl might be unlawful for me to marry. The mother said that when her husband died, she was pregnant and her family was living in a far-off district. Since she was epileptic and her married sister was living nearby, she had to move to her sister's house because of her illness and the long distance to her family. The mother further explained that her brother-in-law had sexual intercourse with her when her sister was out of the house and she was suffering from one of her fits. He did that two times after which she asked the help of some kind neighbors and sent for her father to come and take her from her sister's house. The mother now fears that the girl might be unlawful for her son to marry, because of the illegal sexual intercourse committed by her brother-in-law? does this intercourse prevent me from marrying this girl, bearing in mind that we are not related through suckling and there is no other impediment except what is feared by my mother?

A: If the reality is as you mentioned, that you are not related to each other through suckling and there is no impediment to your marriage to her except what your mother has mentioned and feared might represent an impediment to marriage, then you are permitted to marry your maternal cousin, the daughter of the man who committed what your mother mentioned. This sexual intercourse is not an impediment to marriage.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 4848

Q: My half-uncle on my father's side married a woman who bore him a daughter. He then divorced her and married another woman who bore him a daughter and a son. My half-brother married my uncle's first wife whom he divorced and she bore him a daughter. My uncle's second wife died. Also, my brother passed away after he had divorced his wife. Then, my uncle remarried his first wife. Afterwards, my half-cousin married the daughter of my half-brother and I married my half-cousin. what is the ruling on this regard?

A: If the matter is as you have described, your marriage is valid even though your wife is your brother's step-daughter and the wife of your cousin is the step-daughter of your uncle.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21018

Q: I have two brothers. My maternal aunt is called `Aishah who has two daughters; one of them is called Nurah who has also got daughters. My mother once told me that we are related to the daughters of her sister, `Aishah, through breastfeeding. My father `Umar Al-`Itawy married a second wife called Hissah who bore him sons and daughters. Then he married a third wife called Hasna' who bore him a son called `Abdul `Aziz who wants to marry the daughter of our maternal cousin Nurah.

The question is: is it permissible for our step-brother, `Abdul `Aziz, to marry the daughter of our maternal cousin Nurah?

May Allah protect and guide you. May Allah's peace, blessings and mercy be upon you!

A: It is permissible for your brother, `Abdul `Aziz, to marry the daughter of your maternal cousin provided that neither the daughter nor her mother is known to have been breastfed by any of the wives of your father.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 14169

Q: is it permissible for me to marry the ex-wife of the son of my paternal half brother?

A: It is permissible for you to marry the ex-wife of the son of your paternal half brother after she finishes her `Iddah (woman's prescribed waiting period after divorce or widowhood). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 503

Q: my present wife's ex-husband has a daughter with another woman. Is it permissible for me to marry this man's daughter at the same time as being married to my wife?

A: It is permissible for you to be married to both your present wife

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and your wife's ex-husband's daughter from another woman, as Allah (Exalted be He) does not declare that marriage to the two of them at the same time is Haram (prohibited) in the context of mentioning the women a man is forbidden from marrying, neither did the Prophet (peace be upon him). After mentioning the women that a man is forbidden from marrying, Allah (Exalted be He) says: ﴾All others are lawful﴿ Therefore, being married to them both comes under the general ruling of this statement, as a man is forbidden from marrying a woman and any of her close relatives at the same time due to fear of severing close ties of kinship, and there is no close relationship between these two women. 'Abdullah ibn Ja'far did this, as did Safwan ibn Umayyah, and no one is known to have objected to them doing so. May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman
`Abdullah ibn Sulayman Ibn Mani`	`Abdullah ibn `Abdul-Rahman ibn Ghudayyan	`Abdul-Razzaq `Afify

Fatwa no. 1768

Q: is it permissible for a man to marry a widow and the daughter of her deceased husband from his first wife that he had divorced before he married the concerned widow? It is worth mentioning that the daughter and the widow mentioned above are not relatives nor do they have a milk relationship.

A: Yes, it is permissible for a man to marry a widow

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and the daughter of her deceased husband at the same time. The foregoing is the opinion of the majority of scholars and it is the most proper one. This is because permissibility is the original ruling and there is no proof from the Qur'an or the Sunnah (whatever is reported from the Prophet) that forbids marrying a widow and the daughter of her deceased husband at the same time. Rather, Allah mentions the categories of women which are forbidden for a person to marry and does not include the case in question among them. Consequently, marrying a widow and the daughter of her deceased husband simultaneously fall under the generality of Allah's saying, ﴾All others are lawful﴿ Moreover, combining between specific categories of wives is made Haram (prohibited) because it leads to severing the ties of kinship amongst people who have family relationships while there is neither kinship nor milk relations between the mentioned widow and the daughter of her deceased husband. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 21515

Praise be to Allah, and may peace and blessings be upon our final Prophet. The Permanent Committee for Scholarly Research and Ifta' has read

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what was submitted to the Grand Mufty (Islamic scholar qualified to issue legal opinions) by His Eminence the Head of the Courts of Al-Ahsa' Governorate, that carries the number (1471/1), dated 1/6/1420 A.H. His Eminence asked to investigate what was submitted to him by His Eminence the Judge of the Islamic Shari`ah Court in Al-Ahsa', Shaykh Tamim ibn Muhammad Al-`Unayzan concerning the request of (KNA) to marry (SAA), so that he combines her and her stepmother in marriage.

His Eminence's letter goes as follows:

To His Eminence, Head of the Courts of Al-Ahsa', may Allah protect him. May Allah's Peace, Mercy, and Blessings be upon you!

Please find attached the papers sent to us that carry the number 580, dated 27/5/1420 A.H., concerning the request submitted by (KNA) to marry the Egyptian woman (SAA), that was agreed to by the Interior Ministry in the letter number 17/1787, dated 26/7/1419 A.H., and your request to investigate this matter. Please be advised that after having a discussion with the husband, we came to know that he is married to (ASB)'s daughter, where the mentioned (S) is this man's wife, not the first wife's mother, and he had died. Now, (K) wants to marry his wife's stepmother. This issue is controversial among the scholars (may Allah be merciful with them), as mentioned by the author of "Al-Mughni" and others. There is also a jurisprudential rule stating that it is Haram (prohibited)

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to marry two women at the same time such that if one of them had been a man, it would have been impermissible for him to marry the other woman. I would like to plead this case to His Eminence, the Grand Mufty of the Kingdom of Saudi Arabia, the Head of the Council of Senior Scholars and the Committee for Scholarly Research and Ifta' so that they can advise concerning this, to clear my conscience and make sure that no similar Fatwa was previously issued. May Allah guide us all. Peace be upon you.

Having investigated the issue, the Committee wrote that a man may marry a woman and her stepmother at the same time, provided that they have not shared suckling from the same woman, as there is no impediment to this. As for what the Fuqaha' (Muslim jurists) mentioned, that it is Haram for a man to marry two women at the same time, such that if one of them had been a man, it would have been impermissible for him to marry the other woman, this is restricted to blood relations, so that the ties of kinship are not severed. Wives of the same man tend to be jealous of each other. However, this is not found in the case of a woman and her stepmother, as they are not blood relatives. This is only restricted to blood relations, although scholars have disagreed about it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

Fatwa no. 21589

Q: I want to marry the wife of my father-in-law after his death. is the wife of my father-in-law lawful for me? It is worth mentioning that she is not my wife's mother and does not have blood relation with her. Does she fall under the prohibition of combining between a woman and her aunt or not, as we call the mother-in-law 'aunt'? It is worth mentioning that the wife of my father-in-law suckled one of my children before; does this suckling prohibit me to marry her? Appreciate your guidance, may Allah guide you!

A: There is no harm in your marrying the wife of your father-in-law, who is not the mother of your wife, if there is no prohibiting suckling between you two. The wife of the father-in-law is not an 'aunt' to your children from another woman. It is a common practice among people to use such titles as a way to honor the person; however, she is merely a stepmother.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'!

Member	Member	Member	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah Al Al-Shaykh

The fifth question of Fatwa no. 8925

Q 5: is it permissible for a man to marry the mother of his stepmother?

A: It is permissible for a man to marry the mother of his stepmother because she is not one of those who are prohibited for him to marry due to lineage or marriage. The basic rule in everything is the permissibility as long as there is no proof that prohibits it. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Deputy Chairman	Chairman
\`Abdul-Razzaq \`Afify	\`Abdul-\`Aziz ibn \`Abdullah ibn Baz

Fatwa no. 336

Q: i have two married cousins; one of them has three daughters and a son and the other five sons. The father of the three daughters and the son died; his brother then married his widow and had from her two daughters and two sons. is it permissible for the daughters from her first husband to marry his sons from his first wife?

A: If the situation is as you mentioned, it is permissible for any of the five sons

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from the previous marriage to marry any of their three cousins, born of the mother's marriage before marrying the father of these five sons, as long as there is no prohibitive impediment, such as breastfeeding or the like. The marriage of the five boys' father to the three girls' mother does not prohibit them from marrying. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman
`Abdullah ibn Sulayman Ibn Mani`	`Abdullah ibn `Abdul-Rahman ibn Ghudayyan	`Abdul-Razzaq `Afify

Fatwa no. 3687

Q: My sister married twice. She had three girls from her first husband who married another woman and had three sons. The first two brothers suckled from my sister while the third did not. The third son whose two brothers suckled from my sister proposed to one of my sister's daughters from the second husband. is it permissible for the girl to marry the third son who has not suckled from my sister?

A: If this son has not suckled from the girl's mother in a way that makes their marriage unlawful, it will be permissible for him to marry her. The suckling that renders marriage unlawful is suckling for five times or more during the first two years, and one time of suckling is when the baby holds the breast, suckles milk and leaves it to take a breath. When the baby holds it again,

this is counted as another time, and so on. Consequently, this man's two brothers suckling from the girl's mother does not affect his marrying the girl. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 4986

Q: I have a question that I hope Your Eminence will give me a definite answer for and give it due attention; the question is of two parts revolving around the same subject:

First part: I married a woman who is the maternal half-sister of one of my older brothers. My brother is older than me by several years, as my father had married my wife's mother and they had my older brother. They then divorced and the mother married another man and had her daughter. I am the son of another wife of my father and my mother is my wife's mother's full sister, as my father married two sisters one after the other. Therefore, my wife's mother is my maternal aunt. As I doubt the lawfulness of my marriage, I have sought Fatwas (legal opinion issued by a qualified Muslim scholar) from many Muslim scholars and judges, and I have learned that it is permissible.

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Despite everything, I still have some doubts that trouble me, even though I have four sons with my wife.

Second part: I married this woman when I was young, and to tell the truth, when I was not religiously committed. At that time I was negligent about Salah (Prayer), but I did not do anything Haram (prohibited). At that time I frequently and carelessly made the oath of divorcing her twice (revocably) or thrice (irrevocably), but did not fulfill it. I do not remember what my intention was at the time of taking these oaths now, but I know that I do not want to divorce my wife. We have not quarreled recently and I have not pronounced a divorce to her, either in her presence or in her absence with the intention to do it. Two years ago, Allah guided me to righteousness and I made sincere Tawbah (repentance to Allah). Since then, I have tried to fulfill all my religious obligations - all praise be to Allah. Nevertheless, I feel that the oaths I made, during the time of my ignorance, are an impediment between my wife and I, so I stopped having sexual relations with her more than a year ago, until I can have your Fatwa on these oaths and their effect on our marital relations?

I hope that you will advise me regarding these two points.

A: First: If the reality is as you mentioned in regard to the relationship between you and your wife, your marriage with her is in accordance with the Shari'ah (Islamic law). your wife being your maternal cousin, your brother's maternal half-sister, and your step-mother's daughter

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does not constitute a relationship that prohibits your marriage to her by authority of Shari'ah. There is no Nas (Islamic text from the Qur'an or the Sunnah) that declares it to be Haram (prohibited); the basic ruling is for permissibility. **Second:** If the reality is as you mentioned, that you made the oath of divorcing her twice (irrevocably) or thrice (irrevocably), to do this or not to do that, without fulfilling your oaths - in fact you broke them - and, as you did not really intend to divorce your wife, but meant to encourage or prohibit yourself from doing something, you should offer Kaffarah (expiation) for each oath you did not fulfill. The Kaffarah is to feed ten needy people or clothe them,

or free a slave. It will be sufficient for you to give five Sa's (1 Sa' = 2.172 kg) of wheat, rice, corn, or whatever you feed your family on, to ten needy people; each of them taking half a Sa' for each time you did not fulfill your oath. If you cannot do this, you should perform Sawm (fast) for three days for each unfulfilled oath. If you do not know how many oaths you made, try to estimate them, and offer Kaffarah for the most likely number of times. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 5195

Q: My father married the widow of my maternal uncle who was my mother's full brother. this woman is also the daughter of my father's paternal uncle. She had two daughters from her ex-husband who was my maternal uncle. I married one of her daughters with the permission of her Waliy (a legally accountable person acting for a woman seeking marriage) who is her grandfather and my maternal grandfather. The widow of my maternal uncle who married my father gave birth to three boys and two girls. They are all my brothers and sisters and at the same time are my wife's brothers and sisters. I married my wife after her mother gave birth to those children. I am doubtful about the permissibility of this marriage. What is the ruling on this case?

A: If the reality is as you mentioned, your father's marriage to the widow of your maternal uncle is permissible if he married her after the end of her `Iddah (woman's prescribed waiting period after divorce or widowhood). Moreover, your marriage to the daughter of your maternal uncle is permissible even if your father married the mother of this woman after that. This is because the basic rule is permissibility as long as there is no proof that prohibits that. The children of this woman who married your father are your paternal half brothers and her children from her ex-husband are maternal half brothers to your paternal half brothers. None of these things affect the permissibility of your marriage. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 5578

Q: My wife died after giving birth to two sons. after my paternal cousin's death I married his widow who had bore him a daughter. I am now the guardian of the daughter. Is it permissible for my son to marry this daughter of his late uncle knowing that they are not related to each other through foster relations?

A: If the reality is as you mentioned, it is permissible for your son to marry that daughter. The validity of the marriage is not affected by your guardianship of the girl. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companinons!

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Fatwa no. 816

Q: is it permissible for a man to marry the divorcee of his stepfather?

A: It is permissible for a man to marry the divorcee of his stepfather, if there is no legal constraint such as a suckling relation or the like; as she is then considered Ajnabiya (a woman lawful for a man to marry).

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The third question of Fatwa no. 6279

Q 3: My father married a woman who had a child. She bore him two daughters and then she passed away. My father married another woman who bore him sons and daughters. My father's step-son was brought up in his house. is it permissible for him to marry one of my sisters? Is it permissible for him to inherit my father?

A: If the matter is as you have described, it is permissible for the step-son to marry one of your sisters but it is not permissible for him to inherit your father. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 9077

Q: I am currently a resident of Britain, and I originally come from Jerusalem. I married a divorced British woman

who had a son and a daughter, and we had another daughter whom we called Yasmin. Then, my wife and her children were guided to Islam, praise be to Allah.

My question is the following, may Allah reward you: I have a brother who has become of age, and he wants to marry my stepdaughter who is now called Aminah, and is fourteen years old. is this permissible in Shari`ah (Islamic law)? Waiting for your reply.

A: If the situation is as you mentioned, and Aminah is your wife's daughter from another man, it is permissible for your brother to marry her. Your marriage to her mother has nothing to do with this marriage. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 13552

Q: Your Eminence, I decided to marry one of my relatives, but the problem is that she is my niece's sister. In other words, my sister married my maternal cousin and they had a daughter called Kawthar. My sister died,

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and my cousin married another woman and had a daughter called Amany.

The father	The wife	The daughter
Muhammad Muhammad Siyam	My sister	Kawthar
Muhammad Muhammad Siyam	Another woman	Amany

What is the ruling on my marriage to Amany, being my niece's paternal stepsister? Please advise.

A: If the situation is as you mentioned, it is permissible for you to marry your brother-in-law's daughter from another woman other than your sister. Being her stepsister's maternal uncle does not affect this marriage. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 2800

Q: A man married a woman who had a son from her ex-husband. The son died and left a wife and a daughter, and the man has a son and two daughters. The man divorced his wife and now wants to marry the son's widow. Is this permissible?

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A: If the situation is as you mentioned, it is permissible for the man to marry his stepson's widow or ex-wife, even if the son's mother is still married to the man. May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

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The fifth question of Fatwa no. 4481

Q 5: Ahmad begot children from both his first and second wife. He married one of his sons to the sister of his second wife. What is the ruling on that?

The second wife gave her sister a baby to raise and adopt. This son, being the son of her sister and the step-brother of her husband, is now recorded in the family register. What is the ruling on that?

A: First, it is permissible for the son to marry the sister of his father's wife who is not the sister of his mother but the sister of his mother's co-wife as mentioned in the question. The basic rule is permissibility as long as there is no reason to prohibit it. **Second,**

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it is permissible for her sister to bring up that son but she is not allowed to adopt him as her own son. The adopted son will not be eligible for inheritance from his adoptive parents. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 12016

Q: A man who has a thirteen-year-old son from a previous marriage married a woman who has a sister of the same age. The concerned man proposed to his father-in-law to marry his young daughter to the son of the former. This father accepted the marriage proposal and would like to conclude the contract of marriage of the young couple now and delay the consummation of marriage until the young man is fifteen years old. Hastening to conclude the concerned contract of marriage is meant to guarantee that the girl will not be betrothed to any body else and consequently that the two families will remain connected to each other. Is such a marriage permissible? May Allah grant you success.

A: If the matter is exactly as what is mentioned in the question, it will be permissible to conclude a contract of marriage between the concerned young man and the sister of his stepmother. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 12902

Q: A man wants to marry the sister of his half maternal uncle; is this marriage valid?

A: This marriage is permissible provided that your mother is your uncle's half-sister and this woman is your uncle's sister from the father's side. This is because she is not from the women who are unlawful for you to marry. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 15257

Q: a man named Jazza` married a widow who had a son called `abdullah. She bore him boys and girls and then she passed away. Jazza` married another woman who bore him boys and girls as well. Is it permissible for one of Jazza`s sons from the second wife to marry any of the girls of `abdullah's daughters? It should be taken into consideration that he does not know whether `Abdullah was suckled by his mother when she married him or not even though she married him

three years after the death of her husband.

Please advise. May Allah grant you the best reward!

A: If the matter is as you have described, it is permissible for any of Jazza`s sons to marry any of `Abdullah's daughters as nothing prevents their marriage. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 6270

Q: is it permissible for a woman's paternal stepbrother to marry the daughter of her maternal stepbrother?

A: If the reality regarding the family relationship between the concerned parties is exactly as what is mentioned in the question, there will be no impediment that may invalidate the marriage of the woman's paternal stepbrother to the daughter of her maternal stepbrother. Since there is no text to ban this, permissibility; which is the general ruling; should apply.

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Fatwa no. 1717

Q: i have a maternal half brother who has a son and i have a paternal half sister; i would like to marry my paternal half sister to the son of my maternal half brother; is this permissible?

A: It is permissible that your paternal half sister marries the son of your maternal half brother. There is no impediment to invalidate the foregoing.May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 8663

Q 2: I have a paternal half brother whose mother belongs to a tribe other than the tribe that my mother belongs to. Any way, our father died and my mother married another man and begot daughters who are my half sisters; are they considered sisters to my paternal half brother or he is a non-Mahram (marriageable relative) to them and it is impermissible for them to take off their Hijab (veil) in his presence? If so, is it permissible for him

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to marry one of them?

A: If the reality is exactly as you have mentioned, your maternal half sisters will be considered non-Mahrams (marriageable relatives) to your paternal half brothers. Consequently, it is permissible for every paternal half brother of yours to marry any of your maternal half sisters. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 14493

Q: is it permissible for my maternal sister to marry the son of my paternal sister, even though my two sisters are cousins?

A: It is permissible for your maternal sister to marry the son of your paternal sister, even if the two are cousins, as long as there is no impediment making it Haram (prohibited). May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

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Q 2: a person contracted marriage to a woman and then divorced her before having sexual intercourse with her. She has a mother and a daughter; is it permissible to marry the daughter of the mentioned wife or her mother?

A: It is permissible for the person who contracted marriage to a woman then divorced her before having sexual intercourse with her to marry her daughter. As for her mother, it is not permissible to marry her once the marriage contract is signed. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 17780

Q: is it permissible for a man to give his maternal sister in marriage to his paternal uncle?

A: It is permissible for your paternal uncle to marry your maternal sister, as he is an Ajnaby (a man lawful for the woman to marry) to her. Allah (Exalted be He) says, after mentioning the women that a man is forbidden from marrying: (All others are lawful) However, you have no role as a Waliy (a legally accountable person acting for a woman seeking marriage) over her in the marriage contract. May Allah grant us success! May peace and blessings be upon our Prophet, his family, and Companions!

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Fatwa no. 15950

Q: In 1946, my grandfather was married to two women. They used to live with each other along with their children. My grandmother begot him three sons and two daughters while his other wife begot him three daughters. In 1954, my grandmother was martyred. In 1957, the French forces arrested my grandfather who was martyred in the same year.

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After the death of my grandfather, his second wife looked after the whole family until 1963 as she married his brother in this year and begot him four daughters and a son. They all live together until now. Is it permissible for me to marry one of her daughters from her second husband, i.e. my father's cousin? Please advise me as I am confused and in a hurry. May Allah grant you success!

A: It is permissible for you to marry any of the daughters of your father's cousin whose mother was your grandfather's ex-wife if she did not breastfeed you when you were an infant as she is a non-Mahram (not a spouse or an unmarriageable relative). It is permissible for you to marry any of her daughters except those she begot by your grandfather. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 14884

Q: after my father's death, my step-mother married my paternal uncle and begot him a daughter. Is it permissible for my son to marry this girl although her mother is his grandfather's wife?

A: If your father's ex-wife that your uncle married, is not your mother, it will be permissible for your son to marry your uncle's daughter as what is forbidden for a Muslim is to marry his stepmother or his grandfather's wife for Allah (Exalted be He) says, (And marry not women whom your fathers married, except what has already passed) Therefore, prohibition includes only women whom your father married but does not include the father's stepdaughters or their sisters. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 1699

Q 2: my father has a cousin whom my sister calls "uncle"; is it permissible for this man to marry my sister in this manner,

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bearing in mind that the daughter calls him "uncle"?

A: If the said person is not an uncle to the girl either through lineage or breastfeeding, he will be permitted to marry her, and her calling him "uncle" has nothing to do with invalidating marriage. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 16304

Q: a man proposed to a woman while being married to her grandfather's ex-wife. Is it permissible to marry the girl and her grandmother at the same time?

A: It is permissible for a man to marry a woman and her grandfather's ex-wife at the same time, as there is no impediment to this. She is not her grandmother; she is her grandfather's ex-wife. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 15675

Q: I am a woman. my mother married after my father's death when I was about a year and a half. I was weaned and my mother bore a son to my stepfather. He then married another woman who bore him daughters too. Is it permissible for my son to marry one of these girls? Appreciate your guidance, may Allah guide you!

A: If the matter is as mentioned, it is permissible for your son to marry one of your stepfather's daughters from his second wife, for she is not among the unmarriageable women. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 4641

Q 1: what is the ruling on a woman marrying a man who was engaged to her daughter for a duration of five months? The engagement was broken by him before the marriage contract was concluded due to a disagreement.

A: If the situation is as you mentioned, that a man became engaged to a girl,

but broke the engagement before concluding the marriage contract, he may marry her mother, as prohibition of this marriage occurs only when the marriage contract is concluded with her daughter, according to Allah's statement, ﴾Forbidden to you (for marriage) are: your mothers, your daughters﴿ until His saying, ﴾your wives' mothers﴿ This girl did not become his wife simply by being engaged to him. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 11564

Q: Seven years ago, I had a romantic relationship with a girl who lived in my …

… one of our relatives. I asked … the issue; one sheikh told me that marriage to this girl with whom I had an affair …

would be Batil (null and void), for what is based upon Batil is Batil. Now, I am confused as to which one to choose as a wife. If I choose the second, will I be doing wrong to the first girl? Please answer me. May Allah reward you!

A: If the case is as you have mentioned, it is permissible for you to marry the first girl, if all the conditions and essential elements in a contract are met. the kissing that you did does no affect the validity of the proposed marriage. However, getting married to the second, in obedience to your [redacted] being dutiful and good to your parents and kindred, if the [redacted] Bear in mind that what you did with the first girl is Haram [redacted] Allah's forgiveness. May Allah grant us success! May peace [redacted] and Companions.

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The third question of Fatwa no. 17776

Q 3: if a man commits adultery with a woman, then marries her and repents to Allah four months later; is his marriage contract valid?

A: It is not permissible for a man to marry the woman whom he committed adultery with as the marriage contract with her is not valid

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until she repents and her waiting period goes by. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question of Fatwa no. 5381

Q 1: a man has two sons, and another man has two daughters. Is it permissible for the first man to marry his sons to the second man's daughters? Is this considered combining two sisters in marriage at the same time, prohibited in Allah's statement, (and two sisters in wedlock at the same time) ?

A: If the situation is as you mentioned, that a man has two sons and another man has two daughters, it is permissible for each of the sons to marry one of the daughters, if they have not shared suckling from the same woman. This does not entail combining two sisters in marriage at the same time, as each one of them is going to marry a different man. What is prohibited is both sisters marrying the same man at the same time. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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(Part No. 18; Page No. 385)

Fatwa no. 16165

Q: In our village, named `Amud Valley, Salman Ahmad Nasir Al-Salmy was raised in the house of his paternal uncle, Jabir Nasir Wafy after his father died. By Allah's Mercy, he was brought up by his uncle's wife. He grew up in his uncle's house. Salman was adopted by his uncle. Then, the uncle was blessed with a girl who grew up in the same house with Salman. Is it permissible for Salman to marry this girl though he is adopted by the girl's father? Also, he and his female cousin grew up in the same house, but the girl's mother did not breastfeed Salman. I would be grateful if you could give us the ruling on this question. May Allah grant you the best reward!

A: First, merely being raised as male and female cousins together in the same house without being breastfed by the same mother does not make them unmarriageable to one another. Therefore, it is permissible for this person to marry his female cousin. **Second,** the uncle has to take his nephew off his family record. He must refer his lineage to his real father. This is because it is not lawful for the uncle to attribute his nephew to himself. Allah (Exalted be He) says, ﴾Call them (adopted sons) by (the names of) their fathers: that is more just with Allâh.﴿

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and his Companions!

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The first question of Fatwa no. 7361

Q 1: is it permissible for a Muslim to marry a woman who uncovers her face and hands only (but covers everything else)?

A: It is permissible, but she should be advised to cover her face and hands in the presence of Ajanib (men lawful for the woman to marry). It is, however, preferable to choose a woman who covers herself (completely) through her own choice. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 18999

Q 2: What is the ruling on marrying a woman who is mutabarrajah (a woman who dresses immodestly in violation of the Islamic dress code) and professes to Islam?

A: It is obligatory that a Muslim woman who is Mutabarrajah should be advised against this and warned of the bad consequences of doing so. If she responds to the advice, this is what is required, but if she does not, it will be better and safer to marry a Multazimah (practicing Muslim woman) who observes the Islamic Hijab (veil).

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Fatwa no. 13768

Q: I have a female paternal cousin who was orphaned of both her parents since her tender age, as her mother died before she was three. She moved to live with her father's maternal aunt who looked after her for a while. She then moved to live with my father and his family after he married my mother; she was around four or five years old when my father and mother married. She lived in our house and slept with the family in the same room, and helped my mother to raise her children, including me. All my brothers and sisters and I regard her as our sister, although my mother did not breastfeed her. My father has married another woman, who has given birth to sons and daughters, whom my cousin has also helped to raise, so they too regard her as their sister. She stayed with my father and his second family for about 12 to 15 years. My cousin got married and had some children, who all died with the exception of one daughter, who has now reached the age of marriage.

As we all - her paternal cousins - regard her as our sister and she treats us as her siblings, she kisses us and we kiss her in the same way brothers and sisters kiss one another, although our mothers did not breastfeed her. She only lived and grew up with us in our father's house, but we feel she is our sister.

I ask Your Eminence to give us a Fatwa (juristic ruling issued by a qualified Muslim scholar) on this matter; is it permissible for us to exchange kisses? Is her daughter considered as an Ajnabiyyah (woman lawful for the men to marry) to me and therefore not allowed to uncover her face before me or is she permitted to do so? Also, is it permissible for me or any of my brothers to propose to her, if she is a non-Mahram (not a spouse or an unmarriageable relative) to us?

A: First: just being raised in the same house as cousins does not make you Mahrams (unmarriageable relatives) to her. It is, therefore, Haram (prohibited) for you to kiss her, shake her hand, or be in Khulwah (being alone with a member of the opposite sex) with her. You should make Tawbah (repentance to Allah) for all that you did out of ignorance. **Second:** If the situation is as you mentioned, it is permissible for you or any of your brothers to propose to her. The fact that you lived in the same house as her during childhood has no effect on engagement and marriage to her. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 4347

Q: In one of our Bedouin gatherings, we argued a lot about a man who had saved a woman from drowning in a well. It was said that the rescuer proposed to the previously mentioned woman after rescuing her, but when they went to the Ma'dhun (marriage registrant), they told him that the suitor had rescued the woman he wanted to marry from drowning. the Ma'dhun then told them that as he had rescued her, it was not Halal (lawful) for them to marry, even though Allah (Glorified be He) has detailed in Surah Al-Nisa' the women who are Halal or Haram (prohibited) for a Muslim to marry. Is there a difference of opinion among the scholars regarding what was said by the Ma'dhun and what is written in Surah Al-Nisa'? I would be grateful if Your Eminence would guide us to what is right. I argued a lot with the people who told that story, telling them that I would only follow what is in the Book of Allah in Surah Al-Nisa' regarding this matter. Please give us your Fatwa (juristic opinion issued by a qualified Muslim scholar) and may Allah be merciful to you!

A: If the matter is as you mentioned, it is permissible for that man and woman to marry; rescuing her from drowning does not prohibit their marriage. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 4789

Q 2: When a girl or a woman's life is endangered by a fire, drowning or the like - may Allah forbid - and a man who is non-Mahram to her comes to rescue her from a certain death, after which he comes to the woman's Waliy (a legally accountable person acting for a woman seeking marriage) to propose to her, will it be lawful for him to marry her?

A: saving a woman from drowning, fire or the like does not make the man who rescues her a Mahram. This is proved by Ijma` (the consensus of scholars). At the same time, this is not a reason that prevents him from marrying her. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question of Fatwa no. 5337

Q 1: a man married a virgin then divorced her before having intercourse with her, and married another woman then divorced that woman, and married the first woman again. Their marriage continued and now he has children from her. Is he considered sinful?

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A: If the case is as you mentioned, he is not sinful at all. In addition, his marriage to the one whom he previously divorced is valid. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question of Fatwa no. 6422

Q 1: can a widow who is over seventy years of age seek another marriage?

A: It is permissible for a widow to marry even if she is seventy years or older. This is because marriage is principally lawful unless there is a reason that may change this principal ruling. Since there is no Islamic text from the Qur'an or the Sunnah or Ijma` (consensus of scholars) that forbids this practice, a widow can get married provided that she finishes her `Iddah (woman's prescribed waiting period after widowhood) first. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 4675

Q: does the Islamic Shari`ah allow me to marry a woman who is working in a place where men and women work together, particularly when her family including her parents insist on allowing her to work in this place after marriage? If the answer is in the negative, does the Islamic Shari`ah allow her to oppose her family? According to the Islamic teachings, what is the right method you advise her to follow in order to find a way out of this dilemma?

A: First, it is not permissible for a Muslim to marry a woman who works in a place where men and women work together. This is because women's working in the same place with men may result in Fitnah (temptation) or lead her to have Khulwah (being alone with a member of the opposite sex). However, he can marry her if she agrees to leave this work because it may lead to moral corruption, dissolution and deviation. **Second,** if her parents or other people order her to work in such a place, she must not obey them. This is because submission is obligatory only in what is good. Rather, she has to leave this work and challenge those who order her not to leave it, giving priority for submission to Allah (Exalted be He) and His Messenger and safeguarding her honor and religion over submission to her Waliy (a legally accountable person acting for a woman seeking marriage) including her parents. This is because the Prophet (peace be upon him) said, (Submission is obligatory only in what is good (and reasonable).)

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 6373

Q: We are young people upon whom Allah (Exalted be He) has conferred Iman (Faith). Our ages range from twenty-five to twenty-six. We have the desire to get married in Sha'a-Allah (if Allah wills). As your Eminence knows, young Muslims need a great deal of preaching and guidance to have their hearts filled with tranquility and remembrance of Allah (Exalted be He) and to follow the Right Path of Islam. We ask Allah (Exalted be He) to guide you to advise us regarding the question of marriage. Also, we would like to tell your Eminence that we are about to start jobs with average salaries and we want to marry believing women who can help us obey Allah (Exalted be He). There are veiled believing women working with us in the same place. Does Islamic Shari`ah allow a believer to marry such a woman, or is it necessary for him to ask her to leave work and stay at home to take care of her children? Who is the best woman a Muslim can marry according to the Islamic Shari`ah? Are beauty and age regarded as important factors that a Muslim should take into consideration when choosing a righteous wife? How can the process of choosing a wife be carried out?

A: marriage to a working woman is permissible as long as she wears decent clothing

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and her work does not lead her to do any unlawful act such as having direct contact with non-Mahram men or having Khulwah (being alone with a member of the opposite sex). Also, she is not allowed to work without her husband's permission. According to Islamic Shari`ah the best woman a Muslim can marry is a religious woman. This is because it was authentically reported that the Prophet (may peace be upon him) said, ﴾A woman is to be sought in marriage for four things, i.e., her wealth, her family status, her beauty and her religion. So you should marry the religious woman (otherwise) you will be a loser.﴿ (Agreed upon by Al-Bukhari and Muslim). May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question of Fatwa no. 18100

Q 1: i know a Muslim girl. i want to propose to her but i am hesitant about this as she is working outside the home. You may be aware of the usual lifestyle in Europe, especially in France. I would like to tell you that

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I have not talked to her about this matter yet and her parents know nothing about this matter. I want to know the juristic ruling on this question as a lot of young people in France and other European countries are asking this question and find no one to provide them with an answer.

A: We advise you to get married without delay so as to safeguard your chastity; particularly as you are living in a foreign country with disbelieving people. Also, you have to choose a religious and chaste wife to help you abide by Allah's Purified Shar` (Law). If you seek to marry a religious woman, Allah (Exalted be He) will guide you to the best choice by virtue of your good intention. May Allah guide us and you to what is good for both our religion and our life! May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 11950

Q 2: I have a friend who is living in the Arab Republic of Egypt who asked me to write to your Eminence about something that happened to him. While he was having intercourse with his wife, he unintentionally got some milk in his mouth

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from her breast. He immediately spat it out and rinsed his mouth well. Then, he turned to Allah (Exalted be He) in repentance regarding what had happened. He is now confused about what happened and whether his infant is now regarded as his son or his brother. Also, he would like to know the juristic ruling on his wife. I would be grateful if you (may Allah preserve you and increase you in knowledge) advise us on this matter according to the Islamic Shari`ah and the Purified Sunnah. May Allah prolong your life for all Muslims to benefit from your religious knowledge!

A: There is no sin on your friend regarding the question of sucking milk from the breast of his wife. Also, this action does not make her unlawful to him and it has no influence on their marital life at all. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 6942

Q: I am a twenty-one year old man. i got married a year ago and a while after my marriage i sucked my wife's breasts during sexual intercourse with her. I did this several times, but I did not think about what it may mean from a religious point of view. I would be grateful if you would give me the ruling on this question, given that my wife gave birth to

a daughter. I no longer suck my wife's breasts, yet I used to do so before the birth of my daughter. I hope you will provide me with the ruling on this question, as well as the suitable solution to this problem. What should I do now, as my wife and I love one another very much?

A: There is no blame on you regarding sucking your wife's breasts during foreplay or sexual intercourse. Moreover, such practice has no effect on your marital life. Rather, you are not required to do anything in repentance from such act as it is basically lawful. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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conditions of marriage

Fatwa no. 18727

Q: I married a woman who lived with me for four and a half years, but Allah did not grant us any children. I wanted to marry another woman, so I proposed to my cousin as she is pious and fears Allah (Glorified and Exalted be He). She agreed to marry me on the condition that I divorce my first wife. I initially rejected this condition, but kept thinking about it for a month. I later agreed to fulfill that condition and

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decided to marry her and then remind her of Allah (Glorified and Exalted be He) so that she would agree to let me take my first wife back. After marriage, I heard a Hadith to the effect that it is not lawful for a woman to ask a man to divorce his wife in order to marry her. Thus, I feared that my second marriage might be Fasid (invalid). I would like to ask Your Honor about the authenticity of this Hadith. If my second marriage is Fasid, what should I do? Is it obligatory for me to take my first wife back in marriage so that my second marriage can be valid? What is the Kaffarah (expiation) I have to offer for what we did? It is worth mentioning that my second wife welcomes my return to my first wife in case our marriage is doubtful. Your Honor, please advise my second wife to let me take my first wife back in marriage. May Allah grant you the best reward!

A: If the case is as you mentioned, your second marriage contract is valid. Also, it was not obligatory for you to fulfill the condition of divorcing your first wife as it is a Fasid condition. You can take your first wife back in marriage as long as she is in her `Iddah (woman's prescribed waiting period after divorce). If her `Iddah has come to an end, you may take her back by contracting a new marriage, taking into account the legal conditions of marriage contracts. As for the Hadith you mentioned, it was not reported in such wording. It was authentically reported by Sa`id ibn Al-Musayyib from Abu Hurayrah (may Allah be pleased with him) who said, ﴿The Messenger of Allah (peace be upon him) forbade that a town-dweller should sell on behalf of a Bedouin.﴾ till

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his statement, ﴿A woman should not ask the divorce of another woman in order to deprive her of what belongs to her.﴾ (Related by Al-Bukhari, Muslim, Al-Tirmidhy, Al-Nasa'y and Ahmad). This is the wording related by Al-Bukhari. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 18004

Q: A widower wanted to marry a second time. Allah guided him to find a suitable wife. On concluding the marriage contract, the Waliy (a legally accountable person acting for a woman seeking marriage) stipulated some conditions which included that if this man marries another woman while retaining the first wife, the second wife would be automatically irrevocably divorced. The man agreed to such condition. Some years later, this man thought of marrying a second wife while retaining the first, which he actually did.

(Part No. 18; Page No. 400)

My question is: Is the second wife considered as divorced on the basis of the condition mentioned above. What should this man do in either case?

A: only a husband can stipulate conditions whose fulfillment results in divorce. This is because it was reported by `Amr ibn Shu`ayb from his father from his grandfather that the Prophet (may peace be upon him) stated, ﴿The son of Adam cannot take a vow (to give something) except in regard to something he already possesses; he cannot manumit (a bondsman) except those he owns, and he cannot divorce except (a woman) he already has (in marriage).﴾ (Related by Ahmad, Abu Dawud and Al-Tirmidhy and it was regarded as a Hadith Hasan (a Hadith whose chain of narration contains a narrator with weak exactitude, but is free from eccentricity or blemish) by Al-Tirmidhi). There are other narrations implying the same meaning. Thus, the marriage contract referred to is valid and the condition is invalid as it is a sort of divorcing a woman before concluding her marriage contract. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 7341

Q: I married a woman six years ago. Since she was an orphan, well-mannered, kind, and easy to get along with, I promised her not to marry again except in three cases: death, divorce, or physical disability. As time passed, she became prosperous and she now owns houses, a farm, and other properties. However, our marriage has suffered and our relationship is not the same. She refused to move to my house, because I no longer feel comfortable and calm in hers. Until now, she has not given birth to children. I am thinking of marrying another woman. She has no objection to that but I do not know how to deal with the promise I made to her. On the other hand, if I did not think of marriage once again, my wife is not young and she is unable to give me the basic rights as a husband. Kindly, give me your Fatwa in this regard.

A: If the case is as you mentioned, that her conditions have changed from the time when you made your pledge, and that she does not object to your breaking that pledge, you are permitted to marry again while she is still your wife, but you must offer Kaffarah (expiation) for breaking the oath. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The fifth question of Fatwa no. 2036

Q 5: It is common knowledge that Islam permits polygamy. should the husband ask for the first wife's consent before marrying a second?

A: When a husband wants to marry a second wife, it is not obligatory on him to soothe his first wife. However, it is a noble characteristic and a form of intimacy to comfort her and alleviate the agony that a woman may experience in such a situation. This can be achieved through giving her a smile, treating her kindly and talking to her passionately as well as offering her money if it makes her happy. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The fifth question of Fatwa no. 3229

Q 5: does hiding any significant information (a previous marriage or having children from a previous marriage) from the Waliy (a legally accountable person acting for a woman seeking marriage) breach the marriage contract even though the fiancée already knows such information and agrees to marry the man for his righteousness, social status and good manners?

A: My understanding is that the fiancée has already been informed of the personal circumstances of her fiancé such as his previous marriage and she does not care whether he divorced his first wife, she died or he is still keeping her as a wife,

(Part No. 18; Page No. 403)

and whether he has children from such marriage or not. She agreed to marry that man for his righteousness, good manners and social status and therefore she hid this information from her Waliy as the fiancé did, lest the Waliy should oppose the marriage. If the reality is as you mentioned, hiding this information does not violate the marriage contract since it is concluded by the Waliy and the bride agrees to it as the groom's religious commitment is agreeable to her. Also, it is the wife's right to know this kind of information; not the Waliy's. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 14682

Q: I am a widow with three daughters. The paternal grandmother of my children is still alive. Some time after my husband's death, another suitor proposed to me. First, he promised he would not take me to where he lives, but would build a house for me in my village. The problem is that this promise was not documented in the marriage contract. We consummated the marriage and I gave birth to three more daughters. He then began to ask me to go to live with him in his place of residence. I would like to inform you that he has

two other wives. If I go with him, I will have to leave my daughters from my first husband, as their relatives will take them. If I refuse to go with my husband, he will take my daughters from me. It is important to note that he does not need me that much as he has two other wives. If I ask him to divorce me, will I be sinful? Am I entitled to marital rights even if I refuse to go with him? As I mentioned above, my first husband passed away and I do not want to deprive his daughters of my love as they were deprived of their father's. I ask Allah (Exalted be He) to guide your Eminence to give me an answer to my question shortly. May Allah grant you the best reward!

A: If the case is as you mentioned, it will be your right to stay at your village and adhere to the condition you and your husband agreed upon. You can prove this condition through the court. As for your marital rights and Nafaqah (obligatory financial support), you can refer to the competent court. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The fourth question of Fatwa no. 18494

Q 4: i want to marry a woman on the condition that i will not spend a specific night with her and that i can go to her whenever i want. Moreover, I stipulated that she has no right to ask for equality with the other co-wives

(Part No. 18; Page No. 405)

in terms of Nafaqah (obligatory financial support) and other rights that are due to her. She agreed to marry me on these conditions. Am I permitted to abide by these conditions without being sinful?

A: If a woman concedes any of her marital rights, there will be no sin on the husband, whether such conditions are written down in the marriage contract or not. This is because Allah (Exalted be He) says, ﴾And if a woman fears cruelty or desertion on her husband's part, there is no sin on them both if they make terms of peace between themselves; and making peace is better.﴿ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The third question of Fatwa no. 9298

Q 3: What is the juristic ruling on giving the bride a sum of money as a condition for consummating a marriage? It should be noted that the bride's family has received all the Mahr (mandatory gift to a bride from her groom), the jewels and other things required for consummating the marriage. However, this practice is a custom that has been adopted by some communities where the bride and her mother are authorized to fix a large sum of money without which the groom cannot consummate the marriage. If the groom does not pay this sum of money, there will arise problems that may lead to divorce. What is the Islamic ruling

(Part No. 18; Page No. 406)

on imposing such a condition? Does the Prophet's saying, (Whoever imposes such a condition as is not in Allah's Laws, then that condition is invalid) **apply to this case?**

A: It is permissible for the bride's family to impose a sum of money for the bride in addition to the Mahr as a condition, but it should be affordable. Moreover, leniency should be taken into consideration in such situations. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The third question of Fatwa no. 19612

Q: A father married his daughter to a man and imposed on him the payment of seventy thousand Riyals plus the Mahr (mandatory gift to a bride from her groom) if he divorced her. What is the validity of this condition? Please guide us. May Allah guide you!

A: the condition that a bride or her guardian makes upon contracting the marriage to the effect that a sum of money will be payable by the husband upon divorce is valid. This is because it is considered a portion of the bridal dower that is agreed-upon to be delayed. If both parties agree upon such a condition, it should be fulfilled in case of divorce. This is affirmed by the Hadith reported by `Uqbah ibn `Amir (may Allah be pleased with him) who said that Allah's Messenger (peace be upon him) said, (The conditions which make it legal for you to have sexual relations (i.e. the marriage contract) have the greatest right to be fulfilled.)

(Part No. 18; Page No. 407)

(Related by Al-Bukhari in his Book, Sahih Al-Bukhari). `Umar ibn Al-Khattab (may Allah be pleased with him) said, (The rights are due when the conditions are made; and you are entitled to what you have stipulated.) (Related by Al-Bukhari in his Book, Sahih Al-Bukhari). It is also confirmed by the general meaning of the Hadith in which the Prophet (peace be upon him) said, (The believers are bound by their conditions.) The following is the addition reported by Al-Tirmidhy, (...except a condition which turns what is lawful into what is unlawful or what is unlawful into what is lawful.) May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 16818

Q 2: What is the ruling on the salary a woman receives for her work if her husband does not work? And what if both of them work and have an income?

A: The salary a woman receives for her lawful work is her right. Her husband has no right to take anything from her salary with the exception of what she willingly gives to him or unless a condition has been set and agreed upon by both parties that she gives him some of her salary. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The second question of Fatwa no. 14990

Q: A man proposed to marry one of his female cousins. Her family agreed to marry her to him on condition that:

1. He cuts his beard short.

2. He wears a longer dress.

3. He spends his free time with them and does not go to circles of Dhikr (Remembrance of Allah).

A: it is not permissible for you to abide by the conditions of the family of your fiancée regarding cutting your beard short and wearing a longer dress if they mean

that which goes down past the ankles (in violation of the Sunnah). The same will apply if they prevent you from attending the circles of Dhikr. This is because such conditions oppose the teachings of the Book of Allah. The Prophet (peace be upon him) said, ﴾Any condition that is not in the Book of Allah is null even if they were hundred conditions﴿ Also, Allah's Messenger (peace be upon him) said, ﴾Muslims are on (adhere to) their conditions, except those which turn what is unlawful into what is lawful or what is lawful into what is unlawful.﴿ The Prophet (peace be upon him) said, ﴾There should be no obedience to the created in disobedience to the Creator.﴿ You should be sure that Allah (Exalted be He) will give you a wife that is better than her, as Allah (Exalted be He) says, ﴾And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴿ ﴾And He will provide him from (sources) he never could imagine. And whosoever puts his trust in Allâh, then He will suffice him. Verily, Allâh will accomplish his purpose. Indeed Allâh has set a measure for all things.﴿ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Deputy Chairman	Chairman
`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa no. 10332

Q 2: my nephew proposed to my daughter. Though I know he is a smoker and he is not keen on his prayers, I agreed on condition that he quits smoking and maintains his prayer. He accepted my conditions and pledged to fulfill them. He brought his father, his mother

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and his two paternal uncles with him. I informed them of my conditions and called upon them all as witnesses to these conditions. I gave him a week to think about the matter and the conditions I stipulated. A week later, he came and pledged to give up smoking and to establish prayers regularly. In addition, he turned sincerely to Allah (Exalted be He) in repentance. I swore by Allah (Exalted be He) that if he smokes again and breaks him promise, I will not allow him to kiss my head, my nose or any part of my body unless I were in a coma or dead. May Allah grant us all health and peace of mind! I excluded shaking hands from my oath. I helped him with his marriage by giving him a hundred thousand Riyals. Also, I married my daughter to him without Mahr (mandatory gift to a bride from her groom). Later on, the couple had some problems twice, but I asked my daughter to return to her house. A third disagreement arose and she is staying in my house now. I know for certain that he is smoking again and no longer establishes prayers regularly. I expect no worldly return from him; I granted him money to help him with the marriage and as a reward for his repentance and to give up smoking.

A - What is the ruling on my oath?

B - What is the ruling on my daughter's life with him and asking her to return to him?

Please note that my daughter is his second wife and he has children from his first wife, who is still married to him.

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My daughter has no children from this marriage. I ask your Eminence to guide us to the right decision. May Allah preserve you!

A: abandoning Salah (Prayer) out of denial of its obligation is considered Kufr (disbelief) according to Ijma` (consensus of scholars). Similarly, abandoning Salah out of laziness and indifference is regarded as Kufr, as a preponderant opinion by Muslim scholars. It is not permissible for a Muslim to marry his daughter, sister, and so on, to a person who abandons any of the Five Obligatory Prayers. Rather, you should seek to end this marriage by referring to the competent court in your city. As for your oath, as long as you do not break it, there is no sin on you. If you break your oath, you have to offer Kaffarah (expiation) through feeding ten Miskins (poor persons), clothing them, or manumitting a believing slave. If you cannot afford that, you have to observe fasting for three days. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and his Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. (295)

Praise be to Allah, and peace and blessings be upon His Messenger and his family! To proceed: The Permanent Committee for Scholarly Research and Ifta' had examined the question submitted by His Eminence the Judge of Frasan to His Eminence, the Chairman of the Departments of Scholarly Research, Ifta', Daw`ah, and Guidance. The question was referred to the Committee by the General Secretariat of the Council of Senior Scholars no. (1725) dated

13/10/ 1392 A.H. The question stated:

The people of Frasan stipulate that a woman should stay at her father's or guardian's house upon her marriage. However, a wife may want to live with her husband wherever he may live, yet her shyness, the prevalence of the custom, and the autocracy of parents prevent her from declaring this. The result is that the wife remains a captive at her guardian's house where she is harmed because she misses her husband. It may be a far distance between the place of her father and that of her husband, which increases the suffering of both the married couple and their children, especially if the husband is weak or poor. Yet the wife's guardian may accept willingly or unwillingly to let the wife go to her husband if there is a law obliging him not to require this condition or put it into action if he had previously stipulated it. Thus, he should allow the female relative under his guardianship to accompany her husband to the place where they live. If the venerable Committee and eminent scholars examine this matter in order to find a solution to this problem, this will bring about relief. I am looking forward to your answer. May Allah grant us success!

A: The solution to this problem can be found through two means: **First:** Along with the surrounding educated people, the inquirer can preach and guide the people on social affairs and ethical matters in general; they can also illustrate the necessity of conjugal rights and the necessity for cooperation between the spouses to meet the demands of life, and especially bringing up children. In addition to that he can contact the nobles of Al-Jazirah as well as those whose rulings are respected among the population, and he should cooperate with them to eliminate such

abhorrent evils, whether those that are related to customs or any other. Once the inhabitants of Al-Jazirah know and are reassured by that, their keenness to require this condition will wane and there will be great hope that they will not adhere to it and that almost none of the guardians of women will require this condition except for an obvious benefit for the woman or for an urgent need pertaining to the parents, for example. Yet, this should be after her consent. Thus, when the need and necessity are no longer exist, the parents should respond by delivering the wife to her husband unless the spouses are reconciled that the wife lives with her guardian. **Second:** If the condition is imposed despite the guidance, preaching and persuasion as mentioned above, and the parents insist on implementing the condition without paying attention to whether the wife accepts this or not, then this

matter is to be decided by the courts. If the judge is in doubt about some matters, he should refer it to his head. May Allah grant us success and may Allah send blessings and peace upon our Prophet Muhammad and his family and Companions!

The Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman
`Abdullah ibn Sulayman Ibn Mani`	`Abdullah ibn `Abdul-Rahman ibn Ghudayyan	`Abdul-Razzaq `Afify

The second question of Fatwa no. 6948

Q 2: A married man traveled to another country

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then married in that country without informing his first wife. Is this permissible in the Islamic Shari`ah? Please substantiate your answer with evidence.

A: It is permissible for a man to marry a second wife without taking the consent of the first wife and without informing her as long as this serves a purpose and as long as he is able to afford marriage and be just to his two or more wives. Allah (Exalted be He) says, ﴾And if you fear that you shall not be able to deal justly with the orphan-girls then marry (other) women of your choice, two or three, or four; but if you fear that you shall not be able to deal justly (with them), then only one or (the slaves) that your right hands possess. That is nearer to prevent you from doing injustice.﴿ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 7829

Q: a Muslim young man, who I consider to be good and well mannered, has proposed to my sister, but he does not have the basic requirements for maintaining a home. Please bear in mind the following:

1. My family requests him to secure nothing more than food, accommodation and clothing.

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They were not even specific as regards how these things should be secured.

2. He has no disability that hinders him from keeping a permanent job.

3. He is 21 years old.

My question is: Is it permissible to reject this marriage proposal as he is unable to bear the responsibility of maintenance expenses? It is noteworthy that he memorizes the Qur'an, is religiously committed and has a good character. Kindly, answer me as soon as possible as I fear disobeying the Prophet (peace be upon him) who said, ﴾If someone with a satisfactory standard of faith and good conduct comes to you seeking marriage, then give him (your daughter or sister) in marriage...﴿ **My father left me in charge of my sisters' marriage, so I am keen to marry them to people who will not cause any problems or embarrassment to my father.**

A: If the reality is as you have mentioned, being a poor suitor may not be an impediment that prevents him being accepted as a husband for your sister as long as she gives her consent. Allah (Exalted be He) will enrich him out of His Bounty, as He says, ﴾And marry those among you who are single (i.e. a man who has no wife and the woman who has no husband) and (also marry) the Sâlihûn (pious, fit and capable ones) of your (male) slaves and maid-servants (female slaves). If they be poor, Allâh will enrich them out of His Bounty. And Allâh is All-Sufficient for His creatures' needs, All-Knowing (about the state of the people).﴿ May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 11867

Q: My brother wants to marry my daughter to his son. I agreed to his three stipulations:

keeping up the congregational Salah (Prayer);

growing the beard;

and quitting smoking.

I wanted to stipulate the same to his son and write these stipulations in the marriage contract. However, my brother, my father and my group became angry with me, and refused to write these stipulations in the contract, lest he may not apply them. However, I insisted on this. What is the ruling on this in Shari`ah (Islamic law)? Please advise. May Allah reward you and protect you. Should I insist on those stipulations or leave them to please my father, my brother and my group? What is Your Eminence's opinion? May Allah's Peace, Mercy, and Blessings be upon you!

A: You are right in making these stipulations in your daughter's marriage contract, and her husband should fulfill them. This is according to the saying of the Prophet (peace be upon him), (The stipulations most entitled to be abided by are those with which you are given the right to enjoy the (women's) private parts (i.e. the stipulations of the marriage contract).) May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 11885

Q: my daughter's maternal cousin proposed to her. Before the conclusion of the marriage contract, we asked about him, and we found out that he is a very religious young man who abides by the Sunnah of the messenger of Allah (peace be upon him) and he personally confirmed this. However, after concluding the marriage contract, we discovered that he is a liar, and that all the information we had about him was fake, as it became clear afterwards that this young man is unvirtuous and immoral, and that he is an alcoholic. Thereof, my daughter refused to marry him, and demanded to break the marriage contract. Accordingly, we went to the Islamic Center in Vienna and explained the problem to them. They said that this can only happen through the civil courts, and that this may take many years. But I will not be bound by the decision of such courts. Based on the above, I am putting this case before you, willing to do whatever you tell me, as all that we have to do is obey Allah and His Messenger (peace be upon him). It should be mentioned that we are a very conservative family, Al-Hamdullilah (Praise be to Allah), and we are popular here amongst our Saudi Muslim brothers.

I hope from Allah, then you that you will write me the answer and send it on the same paper to submit to the Islamic Center, may Allah keep you safe and sound from all evil! May Allah bless your life to serve Islam and Muslims!

A: If the reality is as mentioned, then this young woman has the choice and is not bound by the

contract due to her being deceived by this person and whoever recommended him, and he should be given back whatever he spent if he is a Muslim, but if he is characterized by assuming any of the acts that nullify Islam, in this case the contract becomes Batil (null and void), for it being inconsistent to Allah's Shari`ah (Islamic Law) (Glorified and Exalted be He), since Allah (Glorified and Exalted be He) has prohibited the marriage of the Kuffar (disbelievers) to Muslim women in what He (Glorified and Exalted be He) says, ﴾And give not (your daughters) in marriage to Al-Mushrikûn till they believe (in Allâh Alone)﴿ Allah also says in Surah Al-Mumtahinah, ﴾They are not lawful (wives) for the disbelievers nor are the disbelievers lawful (husbands) for them.﴿ And whatever he spent should be returned to him as previously mentioned. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

shighar marriage

Fatwa no. 275

Q: Shighar marriage (exchange of daughters or sisters for marriage with no mandatory gift to a bride from her groom) is widespread in most of the southern areas. Some people use tricks to avoid being questioned.

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Some of these tricks are represented in paying different Mahr (mandatory gift to a bride from her groom), concluding the marriage contract on different days, registering the marriage with two different Ma'dhuns (marriage registrant). What is the ruling on this kind of marriage? Is it considered Shighar especially that it is not done except if both agree to exchange the two women for marriage?

A: A similar question has been submitted to His Excellency the Mufty (Islamic scholar qualified to issue legal opinions) of Saudi Arabia, Shaykh Muhammad ibn Ibrahim (may Allah be merciful with him) to which he replied as follows: Alhamdu lillah (All praise is due to Allah), Shighar means that a man gives his daughter or sister in marriage on the condition that the other gives him his daughter or sister in marriage under the condition that there is no Mahr. This kind of marriage is called Shighar for it is ignominious. The word "Shighar" is derived from "Shaghar" which literally means that a dog lifts its leg to urinate. All scholars agree on its prohibition and the fact that it disagrees with Allah's Shari`ah and its objectives as indicated in the Sahih (authentic) Hadith. It is recorded in the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim) on the authority of Nafi` from Ibn `Umar that the Messenger of Allah

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(peace be upon him) ("forbade Shighar marriage.") Shighar marriage is the exchanging of daughters or sisters for marriage with no mandatory gift to a bride from her groom. It is recorded in Sahih Muslim on the authority of Ibn `Umar that the Prophet (peace be upon him) said, ("There is no Shighar in Islam.") It is also recorded in Sahih Muslim on the authority of Abu Hurayrah who said, (The Messenger of Allah (peace be upon him) forbade Shighar marriage.) Shighar is that a man gives his daughter or sister in marriage on the condition that the other gives his daughter or his sister to him in marriage. It is recorded in Sahih Muslim on the authority of Ibn Al-Zubayr that he heard Jabir ibn `Abdullah saying, (The Prophet (peace be upon him) forbade Shighar marriage.) On the authority of `Abdul-Rahman ibn

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Hurmuz Al-A`raj who said (that Al-`Abbas ibn `Abdullah ibn `Abbas married his daughter to `Abdul-Rahman ibn Al-Hakam and `Abdul-Rahman married his daughter to him and they made this (exchange) as their Mahr. Mu`awiyah ibn Abu Sufyan wrote to Marwan ibn Al-Hakam commanding

him to separate between them. He stated in his letter that this was the Shighar which the Messenger of Allah (peace be upon him) had forbidden.) Related by Ahmad and Abu Dawud. Scholars (may Allah be merciful with him) held different views regarding the meaning of Shighar and its validity. The author of Nayl Al-Awtar said: There are two kinds of Shighar marriage: Firstly, when the two exchange their daughters or their sisters in marriage without paying Mahr as indicated in the Hadith. The second, when both Waliys (a legally accountable person acting for a woman seeking marriage) stipulate that each gives the woman to the other in marriage. Some scholars see that only the first kind is prohibited. Ibn `Abdul-Bar said, scholars unanimously agreed that Shighar marriage is not permissible but they held different views regarding its validity. Jumhur (dominant majority of scholars) agrees on its nullification. According to the view of Malik,

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this contract should be nullified before and not after consummating the marriage. This was also related by Ibn Al-Mundhir from Al-Awza`y. The Hanafy scholars see that Shighar marriage is valid and the Mahr has to be paid. This is the opinion of Al-Zuhry, Mak-hul, Al-Thawry, and Al-Layth. It is also related by Ahmad, Is-haq, and Abu Thawr. In his book Zad Al- Ma`ad, Ibn Al-Qayyim (may Allah be merciful with him) said: The Fuqaha' (Muslim jurists) held different views regarding Shighar marriage. Imam Ahmad said that the invalid Shighar is when a man gives his daughter or sister in marriage on the condition that the other gives him his daughter or sister in marriage without paying Mahr. However, the contract is valid in case they specified a certain Mahr. Al-Khiraqy said that the contract is invalid even if they specify the Mahr. Abu Al-Barakat ibn Taymiyyah and others from among the students of Imam Ahmad said that the contract will be invalid if they fix the Mahr but stipulate that the Mahr of each one will be the marriage. However, if this condition is not stated, the marriage contract will be valid. The author of the book entitled Al-Muharrar said, the marriage contract of whoever gives his daughter or sister in marriage under the condition that the other gives him his daughter or sister in marriage without Mahr is invalid and this is considered Shighar. However, the contract is valid if they fix a Mahr. Al-Khiraqy said that it is not valid. It is also said that it will not be valid if they stipulate that the Mahr of each one of them will be the marriage. Since there are differences of opinions regarding this matter, the most preponderant opinion is that Shighar is exchanging the two women without paying Mahr or paying a small amount of Mahr as a trick. So, this kind of marriage is

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Batil (null and void) and its contract should be terminated before or after consummating the marriage. The Islamic Shari`ah (Islamic law) concentrated on the prohibition of Shighar marriage as the Waliy gives preference to his own interest over the interest of the one whom he is responsible for. As he, instead of advising and helping her to choose someone who will make her happy in this worldly life and in the Hereafter, the Waliy looks at his interest, neglects and overpowers her. She is not his slave or an animal to compensate her to do something in his benefit. He should make sure to marry her to someone suitable to her for you are guardians and are responsible for your charges. If a Waliy prefers his own interest, his guardianship should be taken from him and it should be given to someone who takes care of her own benefit. As for the saying of the questioner that Shighar marriage is widespread in the tribes of Banu Al-Harith and others, he should advise people, otherwise, he should refer this matter to the rulers who will take action to

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establish the truth, abolish falsehood, and preserve the honor of Islam and the objectives of laws, In sha'a-Allah (if Allah wills). May Allah grant us success! May peace and blessings be upon our Prophet

Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman
`Abdullah ibn Sulayman Ibn Mani`	`Abdullah ibn `Abdul-Rahman ibn Ghudayyan	`Abdul-Razzaq `Afify

Fatwa no. 801

Q: i have betrothed the daughter of Muhammad ibn Jibrin Fadl to my brother Hamad ibn `Aly. We concluded the marriage contract and paid six thousand in cash and bought other things worth five thousand. After three months of marriage, he (Muhammad ibn Jibrin) came to me asking for the hand of one of our ladies in marriage to his son. I did not give him reply until I know the legal ruling; what is the ruling on this case?

A: If the first marriage has been completed and there was no trick to make the first marriage in return for the second marriage of Hamad ibn `Aly, and the action will not affect the dowry, the marriage of Muhammad ibn Jibrin Fadl's son from the daughter of Jabir ibn `Aly (the questioner) will be permissible. However, if there is any trick in making the second in return for the first or it affects the dowry, it will not be permissible.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman
`Abdullah ibn Sulayman Ibn Mani`	`Abdullah ibn `Abdul-Rahman ibn Ghudayyan	`Abdul-Razzaq `Afify

Fatwa no. 354

Q: A man who has no wife now wants to marry a woman in exchange for his daughter, i.e., he wants his daughter to marry a man and to marry this man's sister in return, because he is poor and has no money to pay to get married. Is it permissible for him to marry in exchange for his daughter's hand in marriage instead of money? What is the best thing for him to do?

A: If the questioner means by his question to compare between marrying a woman in exchange for his daughter marrying the woman's brother and marrying a woman by giving her money, there is no comparison between the two. That a man marries a woman in return of giving his daughter in marriage as an exchange deal between him and another is Haram (prohibited) and it is known as Shighar marriage (exchange of daughters or sisters for marriage with no mandatory gift to a bride from her groom), which the Prophet (peace be upon him) forbade. It was narrated by Nafi' on the authority of Ibn 'Umar (may Allah be pleased with them both) that (The Messenger of Allah (peace be upon him) forbade Shighar marriage.) A Shighar marriage is one in which two men exchange their daughters in marriage with no Mahr (mandatory gift to a bride from her groom). (Agreed upon by Al-Bukhari and Muslim) As for him marrying for money, there is nothing wrong in doing so. Accordingly, it is clear that comparing between something that is Haram and something that is permissible is inappropriate. However, if he meant by the comparison whether it was better for him to marry a woman whose Waliy (a legally accountable person acting for a woman seeking marriage)

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wants to marry his daughter and for them to give money [to the brides. Ed] or to marry another woman and give her money, it is preferable and safer for him to step away from blame to marry another woman. This is because, if he marries the woman whose Waliy wants to marry his daughter, he might be lenient over his daughter's Mahr in return for the Waliy being lenient with him in the Mahr he asks for his daughter. They may also risk falling into the suspicion of entering itno Shighar marriage. It was been authentically reported that the Prophet (peace be upon him) said, ("What is Halal (lawful) is clear and what is Haram (prohibited) is clear, and between them lie doubtful matters which many people do not know about. So anyone who avoids the doubtful matters has protected their faith and their honor, and anyone who falls into the doubtful matters, falls into that which is Haram.") He (peace be upon him) also said, ("Leave that which makes you doubt for that which does not make you doubt.") May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman
\`Abdullah ibn Sulayman Ibn Mani\`	\`Abdullah ibn \`Abdul-Rahman ibn Ghudayyan	\`Abdul-Razzaq \`Afify

Fatwa no. 1363

Regarding the story that someone mentioned that he agreed with his uncle to marry his sister to the uncle's son for a defined Mahr (mandatory gift to a bride from her groom) to be paid within a period of three years. After the elapse of this year, he asked his uncle to give him his daughter in marriage for an independent Mahr. The person asks whether this is considered Shighar or quasi-Shighar.

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A: If the reality is as mentioned in the question, it will be unobjectionable provided that there is no partiality or trickery and the Mahr of any of the two wives is not decreased in view of the Mahr of the other. Moreover, marriage as such is not considered Shighar or quasi-Shighar. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa no. 2158

Q 2: What is the ruling on barter marriage in which two men (for example, two brothers) marry two women (for example, two sisters) from the other family when each of them gives Mahr (mandatory gift to a bride from her groom) to his wife?

A: If a man gives his ward in marriage to a man on the basis that the other will give his ward to him in marriage, this is the Shighar marriage which is forbidden by the Prophet (peace be upon him). This is what some people call "barter" marriage, which is an invalid marriage, whether a Mahr is given or not, and whether there is mutual consent or not. However, if a man proposes to marry the ward of another, and the other proposes to marry the ward of the former, without any stipulations, the marriages are done with the consent of both women and all the other conditions of marriage are met, it will be indisputably valid, and in such a case it will not be Shighar marriage.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 2915

Q: someone asked my father to give my sister in marriage to his son. My father told him that it is probable that one of his sons proposes to marry the man's daughter and that there was no need to speak of it then. Thereafter, my father told my sister that so-and-so asked him to give her in marriage to his son, giving her the choice either to accept such a marriage offer or marry whomsoever she chooses. Anyway, my sister accepted such a marriage offer and we then married her to the man's son, imposing a Mahr (mandatory gift to a bride from her groom) equal to that of her peers. After a while, I decided to propose to marry the daughter of the same man who had before asked my father to give my sister in marriage to his son. Is it a Shighar marriage (exchange of daughters or sisters for marriage with no mandatory gift to a bride from her groom), bearing in mind that we would never have given my sister in marriage to such a person had she refused his marriage offer. Please, give me a Fatwa on this issue.

A: If the reality is as mentioned, it will not be Shighar so long as there is no previous arrangement.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 2134

Q: It was destined by Allah for someone to propose to my father that his son should marry my father's sister. My father agreed to this on the condition that the man would let me marry his daughter. Both marriages were in fact concluded a long time ago without any specified Mahr (mandatory gift to a bride from her groom) being paid to either bride. A condition was written in the marriage contract stating that if the bride proves to be a good wife, she will stay with her husband, otherwise her family will pay an amount of money for her not being a good wife.

Two years ago, there was some kind of misunderstanding between my aunt, whose marriage my father agreed to, and her husband. Her husband forced her to leave his house and she is now still living with her brother. A short while after this, my wife's father and brothers incited her to leave my house and the two wives have now been in their families' homes for about two years. My aunt's husband and I married again about a year ago and we each have children with our new wives. Our first wives, are now deserted and they have no desire to return

to us and my aunt's husband and I are comfortable with our new wives and have no interest in our first wives, because of the misunderstanding that took place between the families. The first wives are the victims of this misunderstanding.

We that hope Your Eminence will give a Fatwa (juristic opinion from a qualified Muslim scholar) about the rulings on Al-Badal marriage (a pre-Islamic practice of mutually exchanging wives) and the continuing desertion of the first wives in their families' homes.

A: It was Haram (prohibited) for your father to give his sister in marriage to someone in return for you marrying the other man's daughter without either wife receiving a Mahr. This kind of marriage is called Shighar marriage (exchange of daughters or sisters for marriage with no mandatory gift to a bride from her groom) and it is obligatory for the matter to be referred to a judge for the necessary steps to be taken to annul the marriages and for a ruling to be made on the amount that each wife has a right to for the consummation of the marriages. Once this has been done, the wives will no longer be deserted and will be free to marry anyone they consent to among the men who are lawful for them to marry. Regarding the condition laid down in the marriage contract - that the woman who proves to be a good wife should remain with her husband or her Waliy (a legally accountable person acting for a woman seeking marriage) should pay an amount of money for her not being a good wife - is a Batil (null and void) condition. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 8057

Q: Some people stipulate for marrying their daughters that they should be exchanged for the daughter of the person who wants to marry them. They do the same with regard to their sisters. The question now is: Is this considered one of the types of Shighar marriage (exchange of daughters or sisters for marriage with no mandatory gift to a bride from her groom) which is prohibited or not? Could you kindly advise us? May Allah reward you! In other words: Those people do not marry their daughter except to those who agree to let them marry their daughter or sister. Those people consider this to be a basic condition for marriage and they swear not to conclude marriage except in this way. Will this be considered Shighar or not?

Secondly, when some of them can not marry according to the way mentioned above, they asks for 100,000 Riyals for themselves when someone proposes to his daughter or sister. He takes this sum for himself, other than the Mahr (mandatory gift to a bride from her groom) of the daughter and other requirements of marriage. Is this kind of marriage a sort of Shighar or not? Could you kindly advise?

A: Firstly, the mentioned type of marriage is a kind of Shighar. **Secondly,** the second type of marriage in which a Waliy (a legally accountable person acting for a woman seeking marriage) asks for a special sum for himself other than the Mahr is not a kind of Shighar, however it implies hardship and greediness of the Waliy.

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In addition, it places an obstacle to prevent marriage and this contradicts the tolerance of Islam and the high moral standard. However, if the marriage contract is concluded by this condition, the contract will be valid. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 11300

Q: I am a young Saudi and I proposed to a girl from my tribe when I was a university student. I paid part of the Mahr (dowry to a bride from the groom) which is 50,000 riyals as agreed upon among the tribe members. However, due to my studies, I could not help but to delay the marriage. During that period my fiancée's brother proposed to my sister and offered 50,000 riyals as Mahr. This happened three years after concluding my marriage contract to his sister. After my graduation, i asked my in-laws to set the wedding date, but they insisted that my wedding and that of their son be held on the same day, bearing in mind that I paid the Mahr in full and so did their son. Is this considered

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a form of Shighar marriage (exchange of daughters or sisters for marriage with no mandatory gift to a bride from her groom) or is it a valid marriage? I should mention that the marriage contracts do not include any stipulations between the two spouses.

A: If your marriage to the said girl and her brother's marriage to your sister are concluded without any stipulation and there were no pre-agreement that each one of you would marry his sister to the other, then the marriage is valid as long as its pillars and conditions are fulfilled and there are no legal impediments invalidating it. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The second question of Fatwa no. 21607

Q 2: i intended to ask my son to propose to one of my sister's daughters, but i was surprised when my sister and her husband came to ask my daughter for marriage to one of their sons when they heard that someone intended to propose to her. They told me that they had wanted to ask for her hand in marriage to their son a long time before but their son's stay in Riyadh for work was the reason he could not ask for her hand before. We ended our speech with my acceptance of their proposal. I told them that we were about to ask for their daughter's hand in marriage to our son then they told me that they all expected this

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but they were delaying their son's proposal to our daughter until we were done with our son's proposal to their daughter. When they heard that another person intended to propose to my daughter, they hastened to ask for her hand to their son before I accept the proposal of the other person. So we both accepted the two proposals at the same time. But later I remembered that Shighar marriage (exchange of daughters or sisters for marriage with no mandatory gift to a bride from her groom) is unlawful. I referred to some religious books on this issue but they did not ease my fears and doubts completely. Therefore, I decided to refer to you to explain the matter for me. It should be noted that I have decided a specific Mahr (mandatory gift to a bride from her groom) for each of them according to the regulations of the state. Half of the Mahr is paid in cash and the other half is paid in the form of gold and clothes.

I hope your Eminence will end my fears and doubts; because I am torn between the desire to make these poor young people to marry and the fear of committing something prohibited by our honorable Shari`ah. May Allah protect you!

A: If the reality is as you have mentioned, that you have not stipulated marrying your daughter off to their son in return for having them marry off their daughter to your son, both the women accept the proposals, and a specific Mahr is assigned for both of them, the two marriage contracts will be valid. They are not types of the Shighar marriage which is prohibited in Islam.

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Fatwa no. 14423

Q: my father made me marry a sister of a person who in return married my sister (with no mandatory gift to brides from grooms). It was all done out of lack of knowledge. Later on, we knew that it was unlawful, so I divorced my wife and so did my brother-in-law. After that my sister married another person. Now my ex-wife refuses marriage to anyone other than me. It should be noted that I had two children from her. Is it permissible for me to remarry my ex-wife? Should I give her a new Mahr (mandatory gift to a bride from her groom) and conclude a new marriage contract after about three years of our divorce? I would like your Eminence to tell me what I should do.

A: It is permissible for you to remarry your ex-wife with a new Mahr and a new marriage contract just like any other woman. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 2334

Q: My father died when I was a fetus. I have only one elder sister. When she reached fourteen years old and I reached twelve years, my uncle came and wanted to marry my sister off to his son because he is worthier of marrying her. I was young at the time and could not know right from wrong. he told me: I want to marry my son to your sister and when you become of age you will have the choice; either to marry one of my daughters or take ten thousand riyals as (your sister's) Mahr (mandatory gift to a bride from her groom). When I became of age, he made me choose between two matters; either to take ten thousand or marry one of his daughters. He made me marry one of his daughters and eventually I was afraid that this is a kind of Shighar marriage (exchange of daughters or sisters for marriage with no mandatory gift to a bride from her groom) as no Mahr was paid either by me or by him. As for the rights of my sister, they were given to her in full by her husband such as clothes, jewels and suchlike. Until now I have not consummated marriage with his daughter but we have just concluded the marriage contract. I ask your Eminence to tell me about the ruling of this act; is it considered a kind of Shighar marriage; I am afraid of getting into doubtful matters. May Allah guide and reward you with the best!

A: If the matter is as mentioned, this is not a kind of Shighar because there was no agreement between you and your uncle on exchange or that you stipulated exchange. He just promised you to marry his daughter off to you or to support you to marry another one. Your uncle must give your sister a Mahr equal to that of her peers if he did not hand it over to her and

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you also have to pay your cousin a Mahr equal to that of her peers. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Tahlil Marriage

The eleventh question of Fatwa no. 2615

Q 11: A man divorced his wife and she married another man who concluded the marriage contract with her but divorced her without having sexual intercourse with her according to her saying; will it be permissible for her first husband to marry her again or not?

A: If the first husband divorced her three times, it will not be permissible for him to marry her again unless she marries another man. The second marriage has to be a real marriage not with the intention of returning her to her first husband. Allah (Exalted be He) says, ﴾And if he has divorced her (the third time), then she is not lawful unto him thereafter until she has married another husband.﴿ The word Nikah here means having sexual intercourse. `Aishah (may Allah be pleased with her) narrated, ﴾The wife of Rifa`ah came to the Messenger of Allah (peace be upon him) and said: I was married to Rifa`ah Al-Qurazhy and he divorced me three times, then I married `Abdul-Rahman ibn Al-Zubayr

and what he has is like the hem of a garment (i.e. he is impotent). The Messenger of Allah (peace be upon him) smiled and said, "Do you want to go back to Rifa`ah"? No, until you have tasted his (the current husband's) sweetness and he has tasted yours (until marriage is consummated).﴿ Related by Al-Bukhari and Muslim. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 10726

What is the Shar`y (Islamically lawful) Tahlil (a marriage contracted for the sole purpose of legalizing remarriage between an irrevocably divorced couple)? For instance, Zayd divorces Safiyyah, and wants to have her married to another man in order to remarry her. Safiyyah gets married to `Amr who suffers from premature ejaculation. A few days after getting married to Safiyyah,

`Amr divorces her. Now, she wants to return to her ex-husband, i.e. Zayd, is this permissible? Please clarify the matter to me, and mention the Shar`y way of divorce. If Zayd wants to divorce his wife, what should he do?

A: First, if a man marries an irrevocably divorced woman for the sole purpose of making her lawful for her ex-husband to remarry, or if he intends to do so, or if they agree upon it, the contract is Batil (null and void) and the marriage is invalid. Imam Ahmad and Al-Tirmidhy reported on the authority of Abu Hurayrah (may Allah be pleased with him) that the Prophet (peace be upon him) said, ﴾Curse be upon the one who marries a divorced woman with the intention of making her lawful for her ex-husband and the one for whom she is made lawful (ex-husband).﴿ Al-Tirmidhy said that he asked Muhammad ibn Isma`il about this Hadith and he said it is Hadith Hasan (a Hadith whose chain of narration contains a narrator with weak exactitude, but is free from eccentricity or blemish). Both also reported on the authority of `Abdullah ibn Mas`ud (may Allah be pleased with him) that ﴾The Messenger of Allah (peace be upon him) cursed both Al-Muhallil (a man who temporarily marries a woman divorced thrice to make her lawful to her former husband) and the one (the first husband) for whom the unlawful act of taking back his wife after divorcing her thrice is rendered lawful (through this marriage).﴿ Al-Tirmidhy said the Hadith is Hasan and Sahih (authentic). **Second,** if a man marries a woman, after her being divorced and after the end of her `Iddah (woman's prescribed waiting period after divorce) for the sake of desiring her, and the second husband had intercourse with her, and there was no condition or intention of Tahlil

then the second husband divorces her, she will be permitted to remarry her first husband. `Aishah (may Allah be pleased with her) narrated that ﴾The Messenger of Allah (peace be upon him) was asked about a man who divorces his wife three times, and she marries another who entered upon her, but divorces her before having intercourse with her, whether she will be lawful for the former husband. She said: The Prophet (peace be upon him) replied: She is not lawful for the first (husband) until she tastes the honey of the other husband and he tastes her honey (consummate their marriage).﴿ (Reported by Al-Bukhari and Muslim and Ahl-ul-Sunan (authors of Hadith compilations classified by jurisprudential themes)). The wording is for Abu Dawud. May Allah grant us success! May peace and blessings be upon our Prophet, his family and Companions.

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Mut'ah marriage

The sixth question of Fatwa no. 3810

Q 6: What is the ruling on Mut'ah marriage in Islam?

A: If Mut'ah marriage (temporary marriage for a stipulated period) occurs it is Haram (prohibited) and Batil (null and void). It is related by Al-Bukhari and Muslim (may Allah be merciful to them), on the authority of 'Aly ibn Abu Talib (may Allah be pleased with him), who said, (At the time of Khaybar, the Messenger of Allah (peace be upon him) forbade Mut'ah marriage and (eating) the meat of domestic donkeys.)

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In another narration, he said, (On the day of Khaybar, the Messenger of Allah (peace be upon him) forbade temporary marriage with women.) Al-Khattaby (may Allah be merciful to him) said that Mut'ah marriages are Haram according to Ijma' (consensus of the scholars), except for some Shi'ah (Shi'ites). However, it is invalid for them, based on their rule, to refer their disagreements to 'Aly because it is reported in an authentic Hadith from 'Aly that Mut'ah marriage was abrogated. Al-Bayhaqy related from Ja'far ibn Muhammad that he was asked about Mut'ah marriage and he said that it is sheer Zina (premarital sexual intercourse and/or adultery). It is also related by Muslim in his "Sahih (Book of Authentic Hadith)" on the authority of Sabrah ibn Ma'bad Al-Juhany, who narrated that the Prophet (peace be upon him) said, ("I had permitted you temporary marriage with women, but Allah has made this Haram (prohibited) until the Day of Resurrection. So anyone who has any of them (wives with this type of marriage contract) should let go of her, and do not take back anything from what you gave them (the women).")

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Fatwa no. 16551

We would like to ask your opinion and advice in regard to the following matter:

A 22-year-old Libyan university student has fallen in love with a 35-year-old Egyptian doctor, who is working here in Libya. He is Multazim (practicing Muslim), married and good-mannered. He has three children who are studying in Egypt, but they come to stay with him in Libya during their summer vacation. Until now, according to what he says, he does not know this young woman; he has not even seen her or dealt with her, but she has been very keen to marry him for some time now, even if it is only for a short period. Our friend the doctor refuses the idea of marriage to protect the material and moral stability of his marriage. He fears that by marrying this girl, he will be unjust to his wife, but his refusal causes the young woman many tears.

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She even suggested that she will bear all the marriage and living expenses, as she is from a good and wealthy family. Please advise regarding the legality of these two suggestions that the young woman has proposed through a mediator:

First proposal: she suggests that he marries her secretly in her country, to preserve the stability of his marriage, for as long as he is in Libya. He can then divorce her when his contract ends and he returns to his country, whether that is after one, two, three, or more years - the date of his return is not known yet, as it depends on work conditions. Is this form of marriage Shar'y (Islamically lawful)? Or is it the Mut'ah marriage (temporary marriage for a stipulated period) that is declared prohibited by Islam?

Second proposal: She suggests that he marries her with the intention of it being conditional, and re-evaluating the situation after a while. If they agree to live together and she wants to travel with him to his country, she will pay a sum of money to his first wife in compensation. If the girl pays the money, they will remain married as long as Allah wills them to, but if she does not pay, she will remain in her country and the marriage will end. Is a marriage contract in this form permissible and valid according to the Shari'ah (Islamic law)?

1. Our friend the doctor asked us to seek your Islamic legal opinion on both these suggestions, each in a separate answer.

2. He is willing to listen to any other opinions from you to resolve

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this problem.

3. Please advise both the doctor and the young woman.

4. Will he be sinful if he does not respond to her strong desire to marry him?

5. Would marrying this young woman be an injustice to his first wife, as she is Multazimah (a practicing Muslim woman), and loving and obedient to her husband?

May Allah guide you and us to what He likes and pleases! As-salamu 'alaykum warahmatullah (May Allah's Peace and Mercy be upon you!)

A: First: The first proposal, which is marrying until the husband travels back home, is not permissible, as it falls under Mut'ah marriage due to stipulating a time period for the marriage limited by the husband's return. As for the second proposal, which is to make the continuity of the marriage dependent on evaluating its status; this is not correct either, since the basic ruling of a marriage is to intend for it to continue, and this condition negates it. **Second:** This doctor does not have to respond to the girl's request, and he will not be sinful if he does not do so. He may respond to her request, if he sees that there may be a benefit in marrying her, and he does so with the intention of preserving both his and her chastity, raising good children, and continuing the marriage, maybe Allah will reward him for this intention. **Third:** This marriage would not be an injustice to the first wife, as Allah allows polygyny. Allah (Exalted be He) says (what means): ﴾then marry (other) women of your choice, two or three, or four﴿

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The second question of Fatwa no. 15952

Q 2: What is the ruling on temporary marriage in Islam?

A: A temporary marriage is known as Mut'ah marriage (marriage for a stipulated period) and it is Batil (null and void), according to the Ijma' (consensus of the scholars) of Ahl-ul-Sunnah wal-Jama'ah (those adhering to the Sunnah and the Muslim main body). It was abrogated by all the Hadith Sahih (a Hadith that has been transmitted by people known for their uprightness and exactitude; free from eccentricity and blemish) reported from the Prophet (peace be upon him) that forbid it. Consequently, this type of marriage is Batil and any sexual intercourse that is performed under its umbrella has the rulings of Zina (premarital sexual intercourse and/or adultery), which necessitate the punishment of anyone doing it, if they know of its unlawfulness. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 17030

Q 1: We, Muslim young men, live in a country where immorality is widespread. One of us asked a scholar who came from Kuwait about the ruling on temporary marriage. The scholar answered him that it is permissible provided that the man should not disclose his intention to the woman whom he wants to marry. This matter has become common among young men, as many people misunderstand the Fatwa. What is the ruling on this kind of marriage? What should the man who fears Fitnah (temptation) do?

A: Temporary marriage is Batil (null and void) because it is Mut`ah marriage (temporary marriage for a stipulated period) which is Haram (prohibited) according to Ijma` (consensus of scholars). The valid type of marriage is that a man gets married with the intention of keeping his wife and staying with her if she proves to be a good wife and he gets along with her, otherwise he may divorce her. Allah (Exalted be He) says, ﴾The divorce is twice, after that, either you retain her on reasonable terms or release her with kindness﴿ May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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The twelfth question of Fatwa no. 19504

Q 12: What is the ruling on marrying an American Muslim woman with the purpose of getting

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citizenship then divorcing her?

A: Temporary marriage is invalid, because it stands for Mut`ah, which is invalid through contextual evidence as well as the consensus of Ahl-ul-Sunnah wal-Jama`ah (those adhering to the Sunnah and the Muslim main body). It is recorded in the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim) on the authority of `Aly ibn Abu Talib (may Allah be pleased with him): ﴾that on the Day of Khaybar, the Messenger of Allah (peace be upon him) forbade the contracting of the temporary marriage and [eating] the meat of the domestic donkeys.﴿ According to another narration of the Hadith: ﴾The Messenger of Allah (peace be upon him) forbade marrying women temporarily on the Day of Khaybar.﴿ It is authentically narrated in the Sahih of Muslim that the Prophet (peace be upon him) said, ﴾I formerly permitted you to contract temporary marriage with women, but Allah has forbidden it (now) until the Day of Resurrection. So he who has any (woman with this type of marriage contract) he should let her off, and do not take back anything you have given them (as Mahr).﴿ Moreover, sexual intercourse under temporary marriage is considered Zina (premarital sexual intercourse); one who gets married this way, being aware of its invalidity, is liable to all rulings of Zina. Marriage is only valid when a man gets married with the intention of keeping the bond of marriage forever if the wife proves to be a good wife and he gets along with her; otherwise he may divorce her. Allah (Exalted be He) said, ﴾The divorce is twice, after that, either you retain her on reasonable terms or release her with kindness﴿ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa No. (21140)

It has become a widespread custom among young men to travel abroad to get married with the intention of getting divorced when marriage as such is the purpose for which they travel, based on a fatwa in this regard, which many people misunderstood. What is

the ruling thereon?

A: Getting married with the intention of divorce is a temporary marriage, which is an invalid marriage as it stands for Mut`ah that is prohibited according to the consensus of scholars. Marriage is only valid when a man gets married with the intention of keeping the bond of marriage forever if the wife proves to be a good wife and he gets along with her; otherwise he may divorce her. Allah (Exalted be He) said: ﴾The divorce is twice, after that, either you retain her on reasonable terms or release her with kindness﴿ May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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